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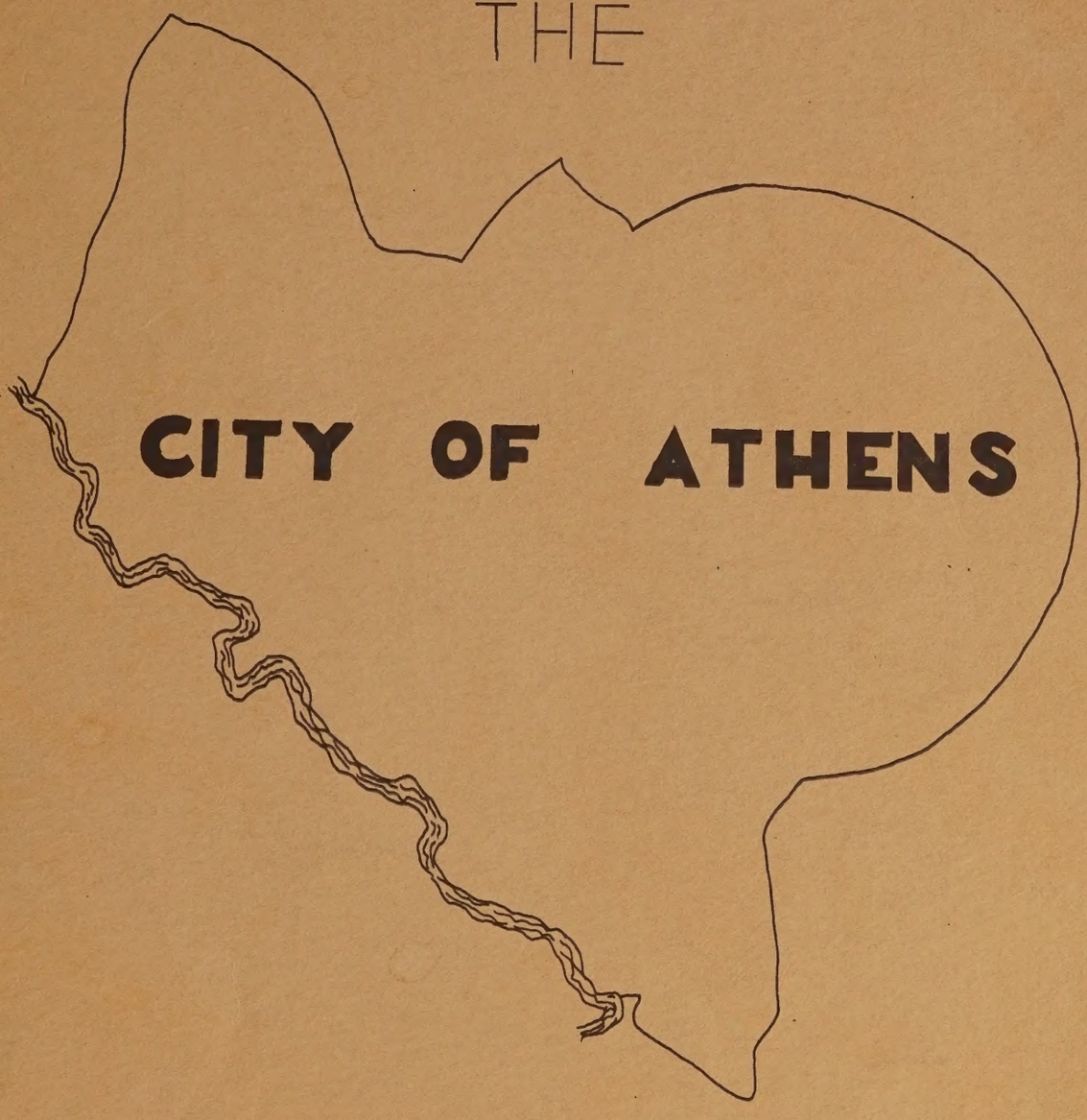
THE ZONING ORDINANCE OF THE CITY OF ATHENS



PREPARED BY THE
ATHENS-CLARKE COUNTY
PLANNING COMMISSION
JUNE 1964

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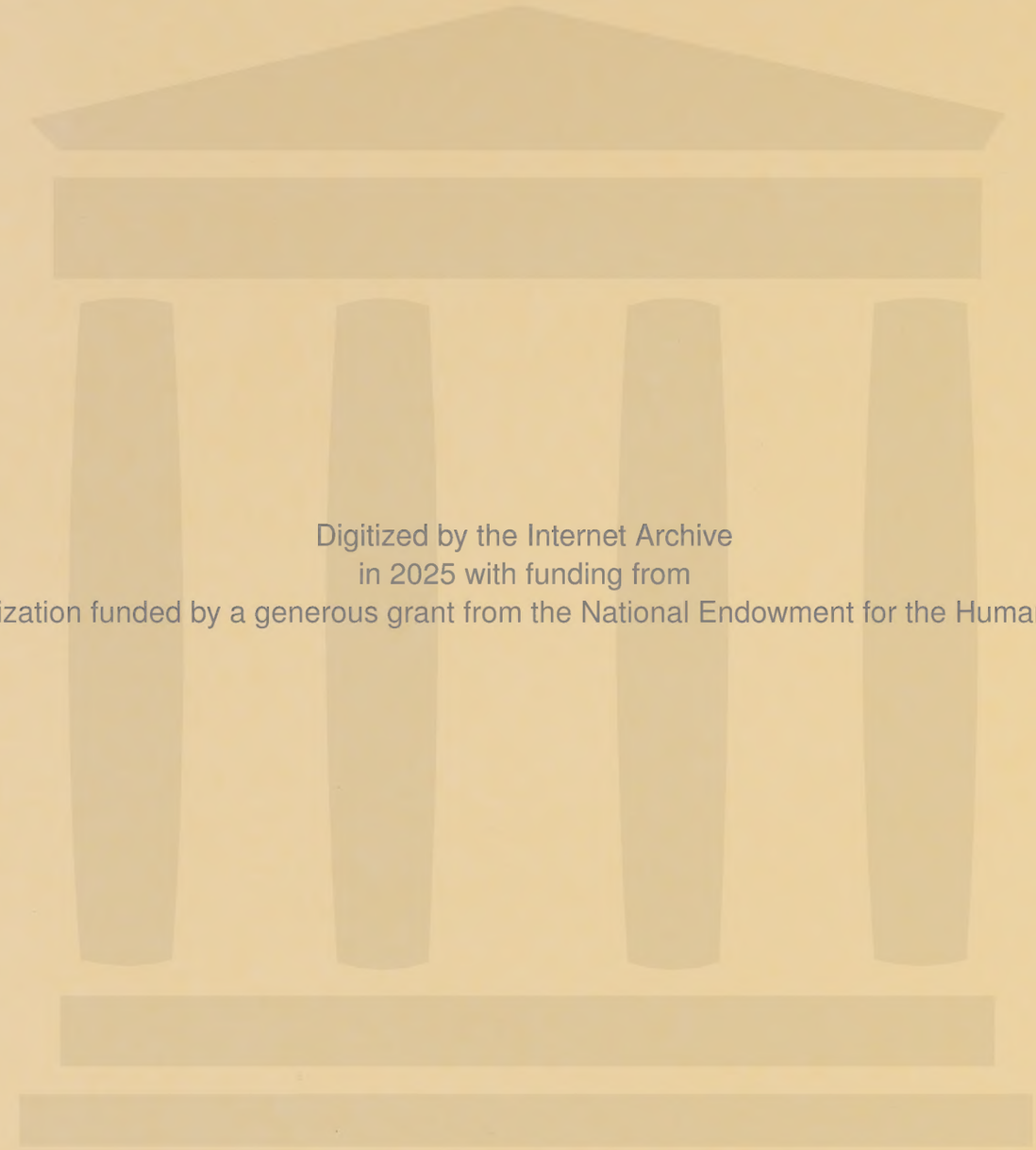

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THE ZONING ORDINANCE OF THE CITY OF ATHENS, GEORGIA

Acting pursuant to authority contained in the General Planning and Zoning Enabling Act of 1957 as amended (Chapter 69-12, Georgia Code Annotated) and pursuant to a recommendation adopted by the Athens-Clarke County Planning Commission and duly transmitted to the Mayor and Council of the City of Athens on May 27, 1964, and after having given public notice and conducted a public hearing with respect to the adoption of this ordinance as required by the provisions of said General Planning and Zoning Enabling Act, it is hereby ordained by the Mayor and Council of the City of Athens, as follows:

TITLE

AN ORDINANCE REGULATING WITHIN THE CITY OF ATHENS, GEORGIA, THE LOCATION, HEIGHT, BULK, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF THE LOT WHICH MAY BE OCCUPIED; THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY AND DISTRIBUTION OF POPULATION; AND THE USES OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRY, RESIDENCES, RECREATION, AGRICULTURE, PUBLIC ACTIVITIES; AND OTHER PURPOSES; CREATING DISTRICTS FOR SAID PURPOSES AND ESTABLISHING THE BOUNDARIES THEREOF; DEFINING CERTAIN TERMS USED HEREIN; PROVIDING FOR THE METHOD OF ADMINISTRATION, AMENDMENT AND ENFORCEMENT; FOR A BOARD OF APPEALS AND DEFINING ITS POWERS AND DUTIES, FOR THE IMPOSITION OF PENALTIES FOR VIOLATION, AND TO PROVIDE FOR THE RESOLUTION OF CONFLICTS WITH OTHER LAWS; AND FOR OTHER PURPOSES.

ARTICLE I: PREAMBLE AND ENACTMENT CLAUSE

In pursuance of authority conferred by the General Planning and Zoning Act of 1957, Act No. 358, as amended, the City Council of the City of Athens, Georgia, to promote the health, safety, morals, convenience, order, prosperity or general welfare of the community; to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; in accordance with a comprehensive plan; and with reasonable consideration, among other things, of the character of the district and

its peculiar suitability for particular uses, and with a view to promoting desirable living conditions and the sustained stability of neighborhoods, protecting property against blight and depreciation, securing economy in governmental expenditures, conserving the value of buildings and encouraging the most appropriate use of land, buildings and structures throughout the city; does hereby ordain and enact into law the following articles and sections:

ARTICLE II. SHORT TITLE OF THE ORDINANCE

This Ordinance shall be known and may be cited as "THE ZONING ORDINANCE OF THE CITY OF ATHENS, GEORGIA."

ARTICLE III. ESTABLISHMENT OF DISTRICTS

Section 31: Use Districts

For the purpose of this Ordinance the City ofAthens, Georgia, is divided into twelve (12) districts designated as follows:

R-1 Single -family Residential District

R-2 " " " "

R-3 " " " "

R-4 One - and Two-family Residential District

R-5 Multi-family Residential District

O-I Office-Institutional District

B-1 Local Business District

B-2 Wholesale Business District

B-3 Central Business District

B-4 Highway Service

M-1 Limited Industrial District

M-2 General Industrial District

Section 32: District Boundaries

The boundaries of each district are hereby established as shown on the map entitled "ZONING MAP, City of Athens, Georgia," dated 1964, and certified by the City Clerk. Said map and all explanatory matter thereon accompanies and is hereby made a part of this Ordinance, and shall be on file in the office of the City Clerk.

Section 33: Interpretation of District Boundaries

Where uncertainty exists with respect to the boundaries of any of the afore said districts as shown on the Zoning Map, the following rules shall apply:

33.1 Unless otherwise indicated, the district boundaries are:

(a) lot lines

(b) center line of streets

(c) right -of-way lines of highways

(d) center line of waterways

(e) center lines of railroad tracks

(f) corporate limits of the city

33.2: In any unsubdivided property the district boundary lines on the Zoning Map shall be determined by the use of the scale shown on the said Zoning Map.

33.3: Where a district boundary line as appearing on the Zoning Map divides a lot in single ownership at the time of enactment of this Ordinance, the district requirement for the least restricted portion of such lot shall be deemed to apply to the whole thereof, provided that such extension shall not include any part of such lot more than thirty-five (35) feet beyond the district boundary line.

ARTICLE IV: APPLICATION OF REGULATIONS

Section 41: Use

No building, structure or land shall hereafter be used and no building or part thereof shall be erected, constructed, reconstructed, moved or altered unless in conformity with the regulations herein specified for the district in which it is located.

Section 42: Height and Density

No building hereafter shall be erected, constructed, reconstructed, removed or altered to:

42.1: Exceed the height limits

42.2: Accommodate or house a greater number of families, or to occupy a smaller lot area per family.

42.3: Occupy a greater percentage of lot area, or have narrower or smaller rear yards, front yards, side yards, inner or outer courts than is specified herein for the district in which said building is located.

Section 43: Lot Size and Occupancy

No lot or yard shall hereafter be reduced in size or area so that the lot width or depth, front, side or rear yard, inner or outer courts, lot area per family or any other requirement of the Ordinance is not maintained.

Section 44: Yards and Other Open Spaces

44.1: No part of a yard or other open space or the off-street parking or loading space required for the purpose of complying with the provisions of this Ordinance shall be included as a part of a yard or other open space similarly required for another building

44.2: On a corner lot the side yard facing the street shall be of such width as is consistent with adjacent front yard depths on said side street.

Section 45: Accessory Building

45.1: Only one (1) principal single-family or two-family residential building and its customary accessory

buildings may hereafter be erected on any lot.

45.2: No accessory building shall exceed two (2) stories in height, or shall occupy more than thirty (30) percent of a rear yard.

45.3: No accessory building shall be constructed on a lot until construction on the main building has actually commenced, and no accessory building shall be used for dwelling purposes unless the main building on the same lot is also being used.

45.4: No accessory building shall be used for dwelling purposes unless all yard, height and total area requirements are maintained and said accessory building is provided with direct access on a paved drive to a public street. Only one accessory building may contain one dwelling unit.

Section 46: Public Street Required

No building shall be erected on a lot which does not abut on a public street.

Section 47: Setback for Vision Clearance

In all use districts except the Central Business District (B-3) no fence, wall, shrubbery, or other obstruction to vision between the heights of three-and-one-half (3 1/2) and fifteen (15) feet shall be permitted within twenty (20) feet of the intersection of the right-of-way lines of streets and railroads; provided, however that exceptions shall be made for utility pole lines and lighting standards.

Section 48: Curb Cuts

Curb cuts shall in no case be greater than forty-five (45) feet in length or closer than twenty (20) feet to a street intersection, except in residential districts where they must be at least fifteen (15) feet from a street intersection.

Section 49: Buffer Strips

49.1: A buffer strip of at least fifteen (15) feet shall be provided on a non-residential use in a non-

residential district in the same block. Within the buffer strip and along the property line shall be placed either a 75 per cent solid fence at least six (6) feet in height, or closely planted trees or shrubs which possess growth characteristics of such a nature as to produce a dense, compact planting screen capable of growing to a height of at least six (6) feet within a two (2) year period.

49.2: When situated adjacent to residential property, an off-street loading and unloading area, or an off-street parking area for five (5) or more automobiles, shall not be closer than five (5) feet to the property line and shall be separated from the adjoining residential property by a 75 per cent solid fence or continuous planting screen at least six (6) feet in height.

49.3: No sign which exceeds the height of six (6) feet shall be placed in any required buffer strip.

ARTICLE V: GENERAL PROVISIONS

Section 51: Non-conforming Uses Permitted

Any lawfully existing building, structure or use of land which is not in conformance with the provisions of this Ordinance upon its enactment into law shall be deemed to be a non-conforming use. Such use may be continued subject to the following conditions:

51.1 Change. Once changed to a conforming use, no building or use of land shall be permitted to revert to a non-conforming use. Change to another non-conforming use is prohibited.

51.2: Abandonment. Re-establishment of a non-conforming use after discontinuance for a period of one (1) year shall be prohibited.

51.3: Restoration. A non-conforming building may not be reconstructed or structurally altered for continuance as a non-conforming use if the cost of such reconstruction or alteration exceeds fifty (50) per cent of its replacement costsless depreciation as determined by the City Engineer. Permitted restoration of a non-conforming use or building shall be fully completed within a six (6) month period after issuance of the building permit for each restoration.

51.4: Extension. A non-conforming use or building shall not be enlarged or extended in such a way as to displace a conforming use or building. No non-conforming use or building may be extended to occupy additional land area not utilized for such non-conforming use or building as of the date of enactment of this Ordinance.

51.5: Non-Conforming Use of Land lawfully existing at the time this Ordinance became effective shall be discontinued within one (1) year from the effective date of this Ordinance and within said year shall be continued upon the following conditions and not otherwise.

51.51. The non-conforming use of a piece of land shall in no way be expanded or extended either on the same or adjoining property.

51.52. The non-conforming use of a piece of land may in no way be changed to another non-conforming

use but only to a use conforming to the regulations of the district in which the land is located.

51.53. In the event that the original non-conforming use of a piece of land is discontinued the use of same land shallthereafter conform to all regulations for the district in which the land is located.

51.54. The foregoing provisions regarding non-conforming use of land shall apply where either:

- no building is employed in connection with such use.
- only buildings employed are accessory or incidental to such use.
- such use is maintained in connection with a conforming building.

Section 52. Off-Street Automobile Requirements

The objective of these requirements is to provide off-street automobile storage or standing in all districts except the B-3 District, at the time of the initial construction of any principal building, or when a structural alteration or other change in a principal building produces an increase in dwelling units, guest rooms, floor area, seating or bed capacity, or when a conversion in use occurs. The size of each required parking space shall be not less than nine (9) feet wide or have an area less than three hundred (300) square feet, including aisles, entrances and exits, but not drives thereto. Turning space shall be provided so that no vehicle will be required to back into the street, except from single and two-family residences. All spaces shall provide for safe and adequate ingress and egress and sufficient area for in-lot maneuverability. Such space shall be provided direct access to a street or alley and shall have sufficient area to meet the requirements set forth in the following provisions:

Residential dwelling units:	
Single-family residence (including townhouses)	1 space per dwelling unit
Two-family residence	1 space per dwelling unit

Multi-family residence Efficiencies in multi-family resi.	1.5 space per dwelling unit 1 space per dwelling unit
Boarding and rooming houses	1 space for each 2 bedrooms
Hospitals, sanitariums, rest and convalescent homes, all similar institutions	1 space for each 4 beds plus 1 space for each staff or visiting doctor plus 1 space for each four employees including nurses
Hotels	1 space per 3 guest rooms plus 1 additional space for each 3 employees
Motels, tourist courts, tourist homes	1 space for each guest bedroom plus 1 additional space for each 3 employees
Bowling alley	3 spaces for each lane
Office buildings, including business, commercial, government, clinics	1 space for each 300 sq. ft. of floor area used for office or similar purposes but not storage or service
Places of amusement or assembly halls containing fixed seats	1 space for each 5 fixed seats provided for patron use
Places of amusement or assembly halls without fixed seats	1 space for each 50 sq. ft. of floor on ground area available for accommodation of moveable seats in the largest assembly room
Clubs, lodges, and all similar places providing overnight accommodations	2 spaces for each bedroom plus 1 space for each five active members
Restaurants including bars, grills, and all similar dining and/or drinking establishments	1 space for each 4 fixed seats provided for patron use, plus one parking space for each 75 sq. ft. of floor area provided for patron use but not containing fixed seats
Fraternity or sorority house	4 spaces for each 5 active members
Nurseries, missions, and other similar eleemosynary activities	1 space for each business or official vehicle plus 1 additional space for each 2 staff members and employees
Automobile filling station	2 spaces for each pump in addition to normal service areas and access lanes
Roller skating rinks, auction grounds and similar group activity areas	1 space for each 4 patrons of anticipated capacity attendance
Automobile, farm equipment, machinery repair, and/or sales; retail furniture stores	1 space for each 500 sq. ft. of floor area
Lumber, brick, coal, junk and supply yards	6 spaces plus 1 additional space for each 2 employees, plus 1 additional space for each business vehicle

Public and private elementary and high schools and academies but not including colleges and universities and similar institutions	1 space for each 4 seats in assembly hall, or if no assembly hall, then 1 space for each 2 employees including teachers and administrators
Retail establishments and banks and other financial and lending institutions, except retail furniture stores	1 space for each 100 sq. ft. of first floor area, plus 1 space for each 200 sq. ft. of floor area above the first floor, excluding all rooms used for storage
Universities and colleges and similar institutions	1 space for each two employees plus 1 space for each 6 maximum full-time enrollment
Wholesaling and warehousing	1 space for each 2 employees plus 1 space for each company vehicle operating from the premises
Manufacturing, fabricating, assembling, processing, rendering	1 space for each 2 employees at maximum employment on a single shift plus 1 space for each business vehicle operating from premises
Mortuaries, and/or funeral homes	1 space for each 100 sq. ft. of floor space used for assembly purposes, plus sufficient space to park or store all company-owned or leased motor vehicles

52.1: Location

If the required off-street parking space cannot reasonably be provided on the same lot as the building it serves, such space may be provided on other off-street property. Such property shall be in the same ownership, except as provided in Subsection 52.2, as that of the principal lot and shall be located within four hundred (400) feet of the lot to which it is appurtenant, as measured along the nearest pedestrian route. No other use shall be made of the parking lot assigned to serve the principal lot unless and until adequate alternative parking space is provided elsewhere.

52.2: Joint use of off-street parking space

No part of an off-street parking area required for any building or use for the purpose of complying with the provisions of this ordinance shall be included as part of an off-street parking area similarly required for another building or use, except that one-half of the parking space required for churches, theaters, assembly halls, or fraternal organizations, whose peak attendance will be at night or on Sundays, may be

assigned to a use which will be closed at night or on Sundays. Such assignment must be in the form of a written statement from an authorized person of the church or other places of public assembly stating approval of said assignment and relinguishing all rights to use the assigned space for other than parking purposes until such time as alternative parking spaces can be provided in conformance with these requirements.

52.3: Joint use of off-street parking area

Nothing in this ordinance shall be construed to prevent the joint use of off-street parking space for two or more buildings or uses on the same lot or upon separate lots if such space is jointly owned and if the total of such spaces when used together shall not be less than the sum of the requirements for the various individual uses or buildings computed separately.

52.4: Extension of parking space into a residential area

The required parking space may extend up to one hundred and twenty (120) feet into a residential or O-I zoning district, provided that:

(a) the parking space adjoins a commercial or industrial district;

(b) it has its only access to, or fronts upon, the same street as the property in the commercial or industrial district for which it is required;

(c) it is separated from abutting properties in the residential district by a ten (10) foot wide buffer strip which is grassed and screened to a height of at least six (6) feet by a solid or 75 per cent solid fencing material or planted wall.

Section 53: Off-street loading and unloading requirements

Every structure or building hereafter constructed and used for business, trade or industry, except in B-3 District, shall provide space on the same premises with every structure or building as indicated herein for the standing, unloading or loading of vehicles or public alley. Such space shall have access to a public alley, or if there is no alley, to a public street.

53.1: Retail business and services

One (1) space, at least twenty-five (25) feet square for each three thousand (3,000) square feet of floor area or part thereof.

53.2: Wholesale and industrial

One space at least five hundred (500) feet square for each ten thousand (10,000) square feet of floor area or part thereof.

53.3: Bus and truck terminals

Sufficient space to accommodate the maximum number of buses or trucks to be stored or to be loading or unloading at the terminal at any one time.

53.4: General Provisions

Any light used to illuminate off-street parking and loading facilities required in this section shall be so arranged as to reflect light away from the adjoining premises in a residential zone.

Section 54: Signs

All signs hereafter erected, painted, repainted, placed, replaced, or rehung in any zoning district of the City of Athens shall comply with the following regulations:

54.1 Accessory signs shall be unilluminated except by indirect means and shall either be attached flat against the structural surface or shall be located no closer than ten (10) feet to the street line or any lot line not a street line.

54.2: Non-accessory (advertising) signs shall not be tacked, painted, posted, marked, or otherwise affixed on trees, fences, poles, or other like structures, or on rocks, the ground itself, or other natural features.

54.3: Non-accessory (advertising) signs shall not be located nearer than one hundred (100) feet to any limited access road right-of-way within one-quarter (1/4) mile of an exit road or an intersecting, crossing, or meeting street.

54.4: Non-accessory (advertising) signs shall henceforth be prohibited within one hundred (100) feet of any dwelling located in any residential district designated in ARTICLE VI.

54.5: Non-accessory (advertising) signs shall henceforth be prohibited within one hundred (100) feet of any public school grounds, playfields, church, or public park.

54.6: No flashing, intermittent red or green illumination, which might be construed as being a traffic control device, shall be used on any sign or structure located in the line of vision of a vehicle-operator, nor shall any sign or structure be constructed, erected, or maintained so as to interfere with vision clearance

along any highway, or roads, or at any intersection of any street, highway or road with a railroad track.

54.7: No sign shall exceed the height of thirty (30) feet in any R-1, R-2, R-3, R-4, R-5 or O-I District.

54.8: Free-standing signs shall not exceed twenty (20) feet in height in any zoning district.

Section 55: Mobile Home Parks

A mobile home occupied or intending to be occupied for dwelling or sleeping purposes shall henceforth be allowed only in conformity with the following regulations: Mobile homes existing at the time of the adoption of this Ordinance shall conform to these regulations within a two-year period or be removed, except as provided in Section 107.

55.1 Mobile homes shall henceforth be permitted only in an approved mobile home park for which a Certificate of Occupancy has been issued as described in ARTICLE XI, Section 113; and individual mobile homes may be permitted outside of mobile home parks, when a Certificate of Occupancy has been issued and subject to the conditions set forth in Section 56.

55.2: Mobile home parks shall be located only in the R-5, B-2, and B-4 zones.

55.3: Application for a Certificate of Occupancy shall be filed with, and said certificate shall be issued by, the Building Inspector.

55.4: A Certificate of Occupancy shall be issued upon approval of an application which shall contain the following:

55.41: the name and address of the applicant

55.42: the location and legal description of the mobile home park

55.43: a plan of the park evidencing conformity with the requirements of this section

55.44: plans and specifications of all buildings improvements and facilities to be constructed within the mobile home park, and

55.45: such further information as may be requested by the Building Inspector to enable him to determine if the proposed park will comply with legal requirements

55.5: The mobile home park shall conform to the following requirements:

55.51 the park shall be no less than five (5) acres in size,

a

and be located on a well-drained site, properly graded site, to insure rapid drainage and freedom from stagnant pools of water

55.52: The mobile home park shall not contain more than seven (7) mobile home units per gross acre

55.53: Mobile home spaces shall be provided consisting of a minimum of six thousand (6,000) square feet for each space, which shall be at least thirty (30) feet wide and clearly defined; provided, however, that mobile home parks in existence on the effective date of this Ordinance which provide mobile home spaces having a width or area less than that hereinabove prescribed may continue to operate with spaces of the existing width and area, but in no event shall any mobile home space be less than twenty-five (25) feet wide and have an area of less than one thousand (1,000) square feet.

55.54: Mobile homes shall be so harbored on each space that there shall be at least a fifteen (15) foot clearance between mobile homes, provided that with respect to mobile homes parked end-to-end, the end-to-end clearance may be less than fifteen (15) feet but shall not be less than ten (10) feet. No mobile home shall be located closer than ten (10) feet from any building within the park or from any property line bounding the park.

55.55: All mobile home spaces shall abut upon a paved driveway of not less than twenty (20) feet in width, which shall have unobstructed access to a street.

55.56: All mobile home spaces shall be serviced with all-weather surface walkways of not less than two (2) feet in width.

55.57: All driveways and walkways within the park shall be lighted at night with electric lamps of not less than twenty-five (25) watts each spaced at intervals of not more than one hundred (100) feet.

55.58: An electrical outlet supplying at least 110 volts shall be provided for each mobile home space.

55.6: Automobile Parking Requirements

One (1) off-street automobile parking space shall be provided for each mobile home unit space, plus one (1) additional car space for each four (4) lots.

55.7: Water Supply

An adequate supply of pure water for drinking and domestic purposes shall be supplied by pipes to all buildings and mobile home spaces within the park, to meet the requirements of the park. Each mobile home space shall be provided with a cold water tap at least four (4) inches above the ground.

55.8: Sanitation

55.81: Waste from showers, bathtubs, flush toilets, urinals, lavatories, slop sinks and laundries in service and other buildings within the park shall be discharged into a public or private sewer and disposal plant or septic tank system of such construction and in such a manner as will meet with the approval of the Clarke County Board of Health.

55.82: Each mobile home space shall be provided with a trapped sewer at least four (4) inches in diameter, which shall be connected to receive the waste from the shower, bathtub, flush toilet, lavatory, and kitchen sink of the mobile home harbored in such and having any or all of such facilities. The trapped sewer in each space shall be connected to discharge the mobile home waste into a public sewer system in compliance with applicable ordinances or into a private sewer and disposal plant or septic tank system of such construction andin such manner as will meet with approval of Clarke County Board of Health.

55.83: Metal garbage cans with tight-fitting covers shall be provided in quantities adequate to permit disposal of all garbage and rubbish. Garbage cans shall be located not farther than three hundred (300) feet from any mobile home space. The can shall be kept in sanitary condition

at all times. Garbage and rubbish shall be collected and disposed of as frequently as may be necessary to insure that the garbage cans shall not overflow.

55.9: Other Regulations

55.91: Recreation Areas - In addition to the minimum area of six thousand (6,000) square feet required for each mobile home unit, each mobile home park shall have a minimum area of twenty thousand (20,000) square feet set aside for common open space, which shall not be used for parking, storage, refuse or any similar use.

55.92 Screening - An evergreen planting strip not less than ten(10) feet in width shall be located along the lot lines of the mobile home park. Within the planting strip shall be placed shrubs which shall grow to a height of five (5) or more after one (1) full growing season and eventually grow to a height of not less than eight (8) feet; or a wood, brick, or metal screen of solid or at least 75 per cent solid material.

55.93: Height Off Ground. Mobile homes shall not sit higher than three (3) feet from the ground at any point.

Section 56: Mobile Homes located outside Mobile Home Parks

The placement of a mobile home occupied or intended to be occupied fpr dwelling or sleeping purposes outside the boundaries of a mobile home park in the City of Athens shall henceforth be placed in conformity to and subject to the following regulations. Existing mobile home not in conformity herewith at the time of the adoption of this ordinance shall be considered as non-conforming uses and shall be governed by Section 51 of this Article.

56.1: A mobile home outside a Mobile Home Park shall be permitted in any R-1, R-2, R-3, R-4, and R-5 District subject to the following conditions and requirements set forth in sections 56.1(a), 56.1(b), 56.2, 56.3 and 56.4.

56.1(a): It shall be unlawful for any person to occupy a mobile home outside the boundaries of a mobile home park within the City of Athens unless such person shall

first obtain a Certificate of Occupancy therefor.

56.1(b) Application for a Certificate of Occupancy shall be filed with and said Certificate issued by the City of Athens Building Inspection Department as described in Section 113.

56.2: A Certificate of Occupancy shall be issued if the minimum requirements set forth herein are met and upon obtaining favorable action or approval by all of parties set forth in Section 56.2(h) and Section 56.4, said application shall contain the following:

a. the name and address of the applicant

b. the location and dimensions of the lot or tract of land upon which the mobile is to be occupied, the proposed location of the mobile home site within said lot or tract ofland, and the location of any other home or other mobile home, if any, situated on said lot or tract of land.

c. the length and width of the mobile home.

d. a description of the plumbing facilities in the mobile home.

e. a description of the permanent septic tank or private sewer system available for use by the mobile home, or a description of the proposed manner of connection with an available public sewage system.

f. a description of the water supply available at the mobile home site.

g. such further information as may be requested by the Inspection Department or the Health Department to enable them to determine if the proposed occupancy will comply with all legal and health requirements.

h. there shall accompany said application a written consent to the proposed location of said mobile home of all property owners residing within a radius of one block in any direction or a radius of 500 feet in any direction from the site of the proposed location of said mobile home, whichever is less. The failure of any property owners within the above area to sign said consent to the proposed location of a mobile home shall result in the application therefor being rejected and no further action shall be taken and such rejection shall be final. Upon approval by all of affected property owners, said application shall be transmitted to the two Councilmen and Mayor as provided by 56.4.

56.3: Each mobile home occupied for dwelling or sleeping purposes outside the boundaries of a mobile home park shall conform to the following requirements:

a. It shall be located upon a site which shall be at least 50 feet wide and contain a minimum of 4,000 square feet, and which shall be free of any home or other mobile home and which shall not overlap any other site containing a home or mobile home. No mobile home shall be located in any required yards.

b. A greater area than specified may be required if in the opinion of the Clarke County Health Department there are factors of drainage, soil conditions or other conditions to cause potential health problems.

c. There shall be provided a front yard having a depth of not less than 20 feet, provided that where a lot is located at the intersection of two or more streets there shall be a front yard of 20 feet depth on each street side of the corner lot.

d. There shall be provided on each side of a mobile home a side yard having a depth of not less than 10 feet.

e. There shall be provided a rear yard having a depth of not less than 25 feet.

f. The mobile home shall have its principal frontage upon a street, officially approved place, or a dedicated easement connecting to a street.

g. There shall be available to the mobile home a trapped sewer of at least four inches in diameter, which shall be connected to receive the waste from the shower, bath tub, flush toilet, lavatory, and kitchen sink of the mobile home. The trapped sewer shall be connected to discharge mobile home waste into:

1) the public sanitary sewer system

2) a permanent septic tank or private sewer and disposal plant that meets the requirements of the Clarke County Health Department.

h. An adequate supply of pure water for drinking and domestic purposes shall be available for connection to such mobile home within the site boundaries.

i. A source of electricity supplying at least 110 volts shall be available for connection to such mobile home.

56.4: In the event that all property owners affected consent in writing to the location of the proposed mobile home, the completed application shall be transmitted by the Building Inspection Department to the two Councilmen representing the Ward in which the mobile home is proposed to be located and to the Mayor of the city. Failure of any one of the Councilmen or the Mayor to consent to the location of said mobile home shall result in said application being rejected and no further

action shall be taken. Upon written approval of the two affected Councilmen and the Mayor endorsed on said application, the same shall then be transmitted to the Mayor and Council of the City of Athens for action, which body may grant or deny said application in its discretion. Upon a favorable finding by the Mayor and Council of the City of Athens, the Building Inspection Department of the City shall issue a Certificate of Occupancy to the applicant.

ARTICLE VI. REQUIREMENTS FOR RESIDENCE DISTRICTS

In order to promote a suitable environment for family life, and to discourage any traffic other than is necessary for residential areas, the following use requirements for residential districts are made:

Section 61: R-1, R-2, R-3 One-family residence districts

61.1: Intent

The R-1, R-2, and R-3 zones are established to protect existing and future residential development consisting primarily of detached one-family dwellings.

61.2 (a) Uses permitted

The following uses are permitted in any R-1, R-2, or R-3 zone:

- one-family dwellings
- acessory buildings and uses incidental to each one-family dwelling, including private garages and non-commercial greenhouses, when placed upon the same lot or parcel of ground, provided that they are in the rear yard at least five (5) feet from the lot line, and ten (10) feet from the principal building.
- customary, incidental home occupations in the residence of said person as defined in Appendix 2-28. Not more than one person besides family members may be employed and no materials stored in the open. There shall be no outside evidence of business other than a non-illuminated sign no larger than two (2) feet square. No rooming or boarding house shall be permitted.

- public, private and parochial elementary and secondary schools offering general education courses providing that no building for such use shall be permitted within fifty (50) feet of any property line except where such property line is a street line, in which case the yard requirements of the district shall apply. Such uses shall not be permitted on a lot fronting upon a local street

- public and semi-public playgrounds, parks, recreation areas and golf, swimming, tennis or country clubs and associated buildings. No building for such a purpose shall be permitted closer to any property line than one hundred (100) feet.
- churches and related accessory buildings providing that no building for such a use shall be permitted within twenty-five (25) feet of any lot line. Such a use shall not be permitted on a lot fronting upon a local street. A planted buffer strip at least ten (10) feet wide, along side and rear lot lines, or an ornamental fence at least six (6) feet high shall be provided. No parking may be placed within ten(10) feet of a property line.
- public buildings and public land uses provided that no building for such a use shall be within twenty-five (25) feet of any property line.
- power transformer stations, sewer pumping stations, water tanks and similar public and semi-public uses, when they are required to serve the district in which they are located.
- railroad lines and passenger stations

61.2(b) Uses Prohibited

General farming, commercial nurseries, commercial truck gardens, commercial forestry, the raising of poultry, small animals or livestock for primarily commercial purposes or on a scale that would be objectionable because of noise, dust or odor to surrounding residents; and provided further that all poultry and livestock are kept in enclosures and not permitted to roam at large and that no portion of any incidental buildings, structures, outdoor pens or runs forpoultry or livestock is located closer than one hundred (100) feet to a property line.

61.3: Signs

The following signs are permitted:

- Professional name plates, providing that they are not larger than one (1) square foot in area.
- Subdivision sale signs not larger than six (6) square feet in area.
- Church bulletin boards not larger than twelve (12) square feet in area.
- Such signs if illuminated shall be of an enclosed lamp design, non-flashing and containing no color illumination.

61.4: Conditional Uses

The following uses are permitted subject to a favorable finding of the Board of Zoning Appeals as set forth in ARTICLE XII, Section 125, and subject to any conditions imposed by such Board:

- Cemeteries
- Heliports

61.5: Area, Yard and Height Requirements

- Minimum required lot area:

  R-1----------20,000 sq. ft. per dwelling unit

  R-2----------12,000 sq. ft. per dwelling unit

  R-3---------- 9,000 sq. ft. per dwelling unit

  except where because of the absence of sanitary sewer or public water supply, larger lot sizes shall be specified by the Clarke County Health Department.

- Minimum required lot width

  R-1----------100 feet

  R-2---------- 90 feet

  R-3---------- 75 feet

- Minimum required front yard (in feet) from the centerline, by street type:

	Arterial	Collector	Local
R-1 and R-2-----	60	45	40
R-3----------	55	45	40

provided that no building shall be erected, constructed or moved so as to provide a front yard of less depth than the average front yard depth observed by residential buildings on the same side of the street and fronting thereon within the same block or within two hundred (200) feet on either side of said building, whichever be less; provided that no building need have a front yard of greater depth than that of the one of the two existing buildings on immediately adjacent lots on either side, whichever has the greater yard depth, and provided that no building is closer than twenty (20) feet from the street right-of-way line.

- Minimum required side yards:

  R-1 and R-2 ----------15 feet

  R-3----------7 feet, provided one side yard is at least ten(10) feet

  Where an existing structure on an adjacent lot is located within five (5) feet of its lot line, the minimum side yard requirements shall be increased so that in no case shall principal structures be closer than as follows:

  R-1 and R-2----------20 feet

  R-3----------15 feet

- Minimum required side yard on corner lots shall be the same as the minimum front yard requirements.

- Minimum required rear yards:

  R-1, R-2, and R-3 --------25 feet

61.6: Accessory Building, Structures, and Uses

No accessory buildings, structures and uses shall be erected and/or project over any required front or side yards, or be located within five (5) feet of any lot line not a street line.

61.7 Additional Conditional Uses

- Single mobile homes

Subject to regulations and provisions adopted in Section 56.

Section 62: R-4 One and two-family residence district

62.1: Intent

The R-4 zone is established to provide areas to meet the demands for two-family residences and to protect existing development of such residences.

62.2: Uses Permitted

The following uses are permitted with any R-4 zone:

- Any use permitted in an R-3 zone
- Two-family dwellings
- Privately operated day nursery, pre-school or kindergarten, provided a minimum open play area of two hundred (200) square feet is provided for each child and that such outdoor play area is enclosed on all sides to a height of at least six (6) feet by an ornamental fence and a planted buffer zone at least four (4) feet in depth. In addition the principal building of such uses shall meet all yard requirements of the district.

62.3: Signs

Any sign permitted in an R-1 Zoning District

62.4: Conditional Uses

The following uses are permitted subject to a favorable finding of the Board of Zoning Appeals as set forth in ARTICLE XII, Section 125 and subject to any conditions imposed by such Board.

- Cemeteries
- Heliports

62.5: Area, Yard and Height Requirements

- Minimum required lot area per dwelling unit-----6,000 sq.f
- Minimum required lot width----------60 feet
- Minimum required front yard(in feet) from the center-line by street types:

Arterial	Collector	Local
55	45	40

- Provided that no building be closer than twenty (20) feet from the street right-of-way line.
- Minimum required side yards----------7 feet provided that al least one side yard be at least ten (10) feet; and that where an existing structure on an adjacent lot is located within five (5) feet of its side lot line, the minimum side yard requirements shall be so increased that in no case shall principal structures be closer than fifteen (15) feet . On a corner lot, the minimum side yard requirements shall be the same as the front yard requirments.
- Minimum required rear yard----------25 feet

62.6: Additional Conditional Use

Single Mobile Home

- Subject to regulations and provisions adopted in Section 56.

Section 63: R-5 Multi-family residence district

63.1: Intent

The R-5 zone is established to provide suitable areas for the development of medium-density residential sections and to protect existing developments of this type.

63.2: Uses Permitted

- Any use permitted in an R-4 zone

Multiple-family structures

- Rooming and boarding houses
- Clubs, lodges
- Universities and colleges

- Hospitals and clinics (excepting animal hospitals and clinics)
- Fraternities and sororities
- Nursing homes
- Mobile home parks, as provided in Section 55
- Townhouses (as provided in ARTICLE X, Section 108)
- Customary home occupations

63.3: Signs

- Any sign permitted in an R-1 zone
- Accessory signs

63.4: Area, yard and height regulations

- Minimum required lot area

(a) One-family dwelling -- 6,000 sq. ft. per dwelling

(b) Two-family dwelling -- 4,000 sq. ft. per dwelling unit

(c) Multi-family structures (Number of units per acre):

Height of Structure	Size of Unit: Efficiency Apartment	1 bedroom	2 bedroom	3 bedroom	4 or more bedrooms
1 story	20	17	12	11	9
2 stories	20	21	14	12	10
3 stories	24	23	16	14	11
4 or more stories	29	27	18	16	12

- Minimum required lot width

(a) one and two-family dwelling----------60 feet

(b) multi-family buildings----------150 feet

- Minimum required front yard (in feet) from centerline by street type:

	Arterial	Collector	Local
One-family structures--55		45	40
two-family structures--55		45	40
Multi-family structures--60		40	40

plus five (5) additional feet for each story above three(3)

- Provided that no building is closer than twenty(20) feet from the street right-of-way line

- Minimum required side yards---------- 10 feet plus an additional three (3) feet for each story above the second. On corner lots, the side yard requirement should be the same as the front yard requirement.
- Minimum distance between multi-story buildings on the same lot---------- 10 feet plus five (5) feet for each additional story of the higher structure.
- Minimum rear yards---------- 25 feet plus an additional three (3) feet for each story above the second.
- Maximum building height---- five(5) stories but not to exceed sixty-five (65) feet in height.

63.5: Maximum Lot Coverage

1-, 2-, or 3-story buildings----------30 per cent

4-story or higher----------25 per cent

63.6: Open Space

Not less than 25 per cent of the area of the lot shall be maintained permanently as usuable unpaved open space, exclusive of any required off-street parking space, drying yards, refuse storage and service areas.

63.7: Conditional Use

Single mobile home- subject to regulations and provisions adopted in Section 56.

ARTICLE VII. REQUIREMENTS FOR OFFICE-INSTITUTIONAL DISTRICTS

Section 70: O-I Office-Institutional District

70.1: Intent

This district is composed of areas predominantly residential or institutional in character, but which in view of their special character, physical setting or transitional nature are equally suitable for office, and commercial uses having only limited contact with the general public at night and not involving the sale of merchandise at retail, except incidentally, and which may be carried on with no offensive noise, smoke, odors, fumes, or other objectionable conditions, in structures surrounded with ample open space for yards and off-street parking and loading of vehicles.

70.2 Uses Permitted

- All use permitted in R-5 Districts, except mobile home parks
- Universities, business colleges, music conservatories, dancing schools and other similar activities offering training in specific fields.
- Agencies and offices rendering special services in the professions, banking, finance, insurance, real estate and brokerage; and including service agencies not involving on premises services with and to the general public, but excluding wholesale trade on premises, which maintain a stock of goods for sale to the general public.
- Funeral or mortuary homes allowed in 1970
- Apothecary shop operated as a retail use within a clinic or physicians' offices, provided said shop shall sell only drugs, prescription medicine, medical supplies, and pharmaceutical products; and provided further that not more than 25 per cent of the ground floor area of such building shall be used for said apothecary shop.

- Incidental accessory retail uses such as cafeterias, gift or variety shops, florists shops, soda bars, or similar activities conducted primarily for the convenience of employees, patients or patrons on the premises, wholly within the principal building and without exterior display or advertising; and provided that not more than 50 per cent of the floor area of the structure be used for said incidential accessory retail uses.
- Sale of antique or reproduction furniture and furnishing provided there be no exterior display of merchandise.
- Catering establishments conducted as an incidental home occupation except that not more than five (5) full-time employees may be employed on the premises.

- Motels

70.3 Parking

70.31: Use of lots in the O-I District as parking lots accessoryto uses permitted in adjoining district is strictly prohibited.

70.32: Where a lot in O-I District shall join a lot in the R-5 District an automobile parking lot and access way to the lot in the R-5 District shall be permitted on said lot in the R-5 District provided that thefollowing conditions shall be complied with:

(a) The lot may be used only for parking and not for any loading, sales, storage, repair work, dismantling, or service.

(b) The parking lot in the R-5 District shall be set back from the edge of the street a minimum distance of twenty (20) feet,or to conform with the existing building lines of adjoining lots, whichever is greater, which area shall be reserved as open space, guarded with wheel bumpers and planted in grass and/or shrubs or trees, or provided with a solid or at least 75 per cent solid screen of wood, brick,

metal or other permanent material.

(c) A strip of land five (5) feet wide adjoining any lot zoned for residential use shall be reserved as open space, guarded with wheel bumpers, and planted in grass and/or shrubs or trees, or provided with a solid or at least 75 per cent solid screen of wood, brick, metal or other permanent material.

(d) No advertising signs and only unilluminated signs no larger than two (2) square feet, and only one for each entrance and exit, pertaining to the parking lot shall be erected and maintained.

(e) All entrances and exits to the lot shall be barricaded or chained when the lot is not in use at night, if the Building Inspector shall determine that such use is a nuisance.

70.4: Walks and Drives

70.41: No sidewalk, path or pedestrian accessway laid out in the O-I District shall be of greater width than ten (10) feet.

70.42: No driveway or auto accessway laid out in the O-I District shall be of greater width than twenty (20) feet and no property shall be provided with more than two (2) such drives.

70.43: On a corner lot there shallbe no driveway or means of access to parking areas within eighty (80) feet of such corner.

70.5: Signs, Exterior Illumination, and Window Display

70.51: Neon signs shall be prohibited in the O-I District

70.52: Accessory and business signs shall be pemitted provided under the following conditions:

(a) Unilluminated signs except by indirect means shall be permitted only.

(b) Professional and identification signs shall be no larger than two (2) square feet, and other sig no longer than six (6) square feet.

(c) Not more than one (1) sign shall be permitted in conjunctions with each building.

70.53: Exterior floodlights shall be of no greater capacity than three hundred (300) watts, and shall be directed away from streets and adjacent property.

70.54: Unless determined by the Building Inspector to be objectionable, exterior floodlights used in conjunction with other than private residences, activities on the campus of the University of Georgia, fraternities or sororities, shall be extinguished no later than 9 P. M.

70. 6 : Area, Yard and Height Requirements

70.61: Minimum required lot area----------10,000 sq.ft.

70.62: Minimum required lot width----------75 feet

70.63: Minimum required front yard(in feet) from the centerline by street type:

Arterial	Collector	Local
60	45	40

provided that no building is closer than twenty (20) feet from the right-of-way line.

70.64: Minimum required side yards:

- Fifteen (15) feet each for a structure of no more than two (2) stories. On every lot to be occupied by a structure of more than two (2) stories, the minimum required side yards shall be determined by an addition of three (3) feet to each side yard for each full story in excess of two (2) stories.
- The primary purpose of the side yard requirement is to insure adequate light, air and privacy for residential structures. Therefore, when an existing structure on an adjacent lot is located closer than ten (10) feet to its side property line:

-- The minimum side yard requirement for a structure of no more than two (2) stories shall be so increased that in no case shall principal structures be closer than twenty-five (25) feet.

-- The minimum side yard requirement for a structure of more than two (2) stories shall be so increased that in no case shall principal structures be closer than thirty (30) feet.

- On corner lots, the side yard requirements shall be the same as for front yards.

70.65: Minimum required rear yard----------25 feet

70.66: Maximum building height----------none

70.67: Maximum Lot Coverage----------40 per cent

70.68: Open Space:

Not less than 25 per cent of the area of the lot shall be maintained permanently as usable unpaved open space, exclusive of any required off-street parking space, drying yards, refuse storage and service areas.

ARTICLE VIII: REQUIREMENTS FOR BUSINESS DISTRICTS

Section 81: B-1 Local Business District

81.1 Intent

The B-1 District is established in order to protect and control the existing neighborhood business districts which provide convenience shopping goods and services to the close-by surrounding residential area.

81.2 Uses Permitted

- Any retail business or service normally providing convenience goods and services to residential neighborhoods, including the making of articles or goods, the majority of which are sold at retail on the premises, provided such manufacturing is incidental to the retail business or service, occupies less than 40 per cent of the floor area and employs no more than five(5) persons exclusive of the proprietor, but excluding new and used automobile establishments.
- Offices, branches of financial institution
- Recreation activities enclosed within a building of less than 6,000 square feet.
- Automobile service stations, provided that they are located on a major street, that petroleum derivatives be stored in accordance with safety requirements of existing city ordinances pertaining thereto, that all pumps and structures are placed not less than forty (40) feet away from any property line, and that the property have a frontage on a major street of at least one hundred fifty (150) feet, and be at least one hundred feet (100) deep.
- Churches and other places of worship provided that the principal building is located on a major or collector street and is placed not less than twenty-five (25) feet from any property line.
- Mobile Home Parks, under the provision of Section 55.
- Multi-family structures, under the R-5 provisions.

81.3: Signs:

The following signs are permitted provided that such signs do not extend on or over the public right-of-way:

- Principal use signs

- Accessory or incidental advertising signs

provided that no sign shall have a height exceeding thirty-five (35) feet.

81.4: Conditional Uses

The following uses are permitted subject to a favorable finding at the Board of Zoning Appeals, as set forth in ARTICLE XII, Section 125, and subject to any conditions imposed by such Board:

- Funeral homes, embalming and crematories

81.5: Area, yard and height requirements

81.51: Minimum required lot area----------none

81.52: Minimum required lot width----------20 feet

81.53: Minimum required front yard:

All buildings and land uses shall be setback a distance of fifteen (15) feet from the right-of-way line of all streets upon which they abut, provided that no buildings or use shall in any case be located closer than forty(40) feet from the centerline of any street or which it abuts, and at least twenty(20) feet from the street right-of-way.

81.54: Minimum required side yards:

Where the side of a lot not used for residential purposes abuts upon a lot in a residential district there shall be provided a side yard of not less than five (5) feet for each story of each twelve (12) feet in height, but such side yard shall not be less than ten (10) feet in width. In all other cases, except as corner lots, a side yard shall not be required, but if provided shall be not less than ten (10) feet in width. Corner lots shall have the same side yard requirement as that of the front yard.

- Telephone and telegraph exchanges and utility structures, including storage and parking facilities for equipment and supplies, including power substations, transmission towers and similar uses.
- Outdoor advertising and business signs
- Bus terminals
- Laundry and dry cleaning plants
- Used car lots
- Animal hospitals
- Mortuaries

82.3: Uses Prohibited (except as provided in Section 106)

Ammonia, bleaching or chlorine manufacture

Alcohol distillation

Arsenal

Bag cleaning

Boiler works

Central mixing plant for cement, mortar, plaster or housing materia

Cotton oil manufacture

Dog pound

Dyestuff manufacture

Extermination or insect poison manufacture

Emery cloth or sandpaper manufacture

Feed mills

Fertilizer manufacture

Forge plant

Glue, size or gelatin manufacture

Iron, steel, brass, or copper foundry or fabrication

Piled rubber goods manufacture

Paint, oil, shellac, turpentine or varnish manufacture

Paper and pulp manufacture

Pickle manufacture

Planing mills

Potash works

Rolling mills

Sauerkraut manufacture

81.55: Minimum required rear yard

- Where the rear of a lot not used for residential purposes abuts upon a lot in a residential district there shall be provided a rear yard of not less than twenty (20) per cent of the depth of the lot, but such rear yard shall not be less than twenty (20) feet in depth. In all other cases, no rear yard shall be required, but if provided it shall be not less than ten (10) feet in depth.

81.56: Maximum building height:.....three (3) stories, not to exceed thirty-five (35) feet in height.

Section 82: B-2 Wholesale Business District

82.1: Intent

The B-2 district is established to provide a suitable area for wholesale business warehousing and similar uses which require considerable room for trucking purposes.

82.2: Uses Permitted

- Wholesaling and warehousing and those businesses which areincidental thereto, excluding the handling or storage of any material of aninflammable or explosive nature.
- Manufacturing and processing, provided such operations be free from injurious or obnoxious fumes, odors, dust, or other objectionable features.
- Sales or service of automobiles, boats, boat trailers, heavy equipment, such as trucks, agricultural machinery, and roadbuilding and service equipment.
- Automobile service stations, restaurants and similar businesses conducted as a service to the district and clearly related to the need or convenience of the district, provided that said use have a frontage on a major street of at least one hundred fifty (150) feet, and has a depth of at least one hundred (100) feet.

Salt works

Smelting of tin, copper, zinc or iron ores

Soap manufacture

Soda and compound manufacture

Stove polish manufacture

Tallow, grease or lard manufacture or refining from or of animal fat

Tanning, curing or storage of raw hides or skins

Tar distillation or manufacture

Tar roofing or waterproofing manufacture

Tobacco manufacture or treatment

Vinegar manufacture

Wool pulling or scouring

Yeast plant

and in general, those uses which may be obnoxious or offensive by reason of emission of odor, dust, smoke, gas, noise, vibration, fire hazard or other similar conditions.

82.4: Area, Yard and Height Requirements

82.41: Minimum required lot area.....none

82.42: Minimum required lot width.....20 feet

82.43: Minimum required front yard.....fifteen (15) feet from street line. All buildings erected shall be set back a distance of fifteen (15) feet from the street line of all streets upon which they abut provided that no building shall in any case be located closer than forty (40) feet from the center line of any street upon which it abuts.

82.44: Minimum Required Side Yards:

Where the side of a lot in the B-2 District abuts upon the side of a lot in a residential district there shall be provided a side yard of not less than five (5) feet for each story or each twelve (12) feet in height, but such side yard shall not be less than ten(10) feet in width. In all other cases, except on corner lots, a side yard for commercial building shall not be required, but if provided shall be not less than ten (10) feet in width. On corner lots the side yard requirements shall be the same as for front yards.

82.45: Minimum Required Rear Yard:

Where the rear of a lot in B-2 District abuts upon a residential district there shall be provided a rear yard of not less than twenty (20) per cent of the depth of the lot, but such rear yard shall not be less than twenty (20) feet in depth. In all other cases no rear yard shall be required, but if provided it shall be not less than twenty feet in depth.

Section 83: B-3 Business District

83.1: Intent

It is the intent of this Ordinance that the central business district encourage those specialized uses which benefit from close proximity to each other. This district is intended to serve as the center of regional retail trade, financial and professional activity. Its primary purpose is to group these specialized uses together in a compact area to facilitate pedestrian movement.

83.2: Uses Permitted

- Any B-1 use.
- Any retail business or retail service establishment including the making of articles sold at retail, provided that such manufacturing is incidental to the retail business or service occupies less than forty (40) per cent of the floor area and employs no more than (5) operators.
- Offices, banks and other financial institutions
- Business and professional offices for doctors, lawyers, architects, engineers and similar professional persons.
- Newspaper and printing plants
- Radio and television studios
- Public utility structures, such as telephone and telegraph offices and exchanges, not including

storage of vehicles.

- Post office, city hall, county court house, library and other public uses and buildings
- Theaters, and other places of entertainment, excluding drive-in theaters
- Off-street parking lots and garages
- Multi-story apartments under the R-5 densities
- Hotels and motor courts
- Limited manufacturing, as defined in ARTICLE IX
- Business and outdoor advertising signs, provided that they do not create a hazard to pedestrian traffic, tend to obscure traffic lights, or disturb hotel residents.

83.3: Area, Yard and Height Requirements

83.31: Minimum required lot area----------none

83.32: Minimum required lot width----------none

83.33: Minimum required front yard---------none

83.34: Minimum required side yards---------none

provided that where the side of a lot in the B-3 District abuts upon the side of a lot in a residential district there shall be provided a side yard of not less than five (5) feet for each story or each twelve (12) feet in height, but such side yard shall not be less than ten (10) feet in width. In all other cases, a side yard for a commercial building shall not be required, but if provided shall be not less than ten(10) feet in width.

83.35: Minimum required rear yard:

Where the rear of a lot in B-3 District abuts upon a residential district there shall be provided a rear yard of not less than twenty(20) per cent of the depth of the lot, but such rear yard shall not be less than twenty(20) feet in depth. In all other cases no rear yard shall be required, but if provided it shall be not less than ten(10) feet in depth.

Section 84: B-4 Highway Service Business District

84.1: Intent

This district is intended to be utilized primarily by those commercial uses which cater to the travelling public, tourists, trucks, and heavy automobile traffic. As such, Highway Service Business Districts are located along major highways and the following requirements are intended to permit easy access and egress, as well as a business environment suitable to the permitted uses.

84.2: Uses Permitted

- Automobile sales, new and used, retail and wholesale with attendant facilities
- Bus stations
- Automobile service stations, provided that all pumps are set back at least twenty (20) feet from the street-right-of-way provided that said use have a frontage on a major street of at least one hundred fifty (150) feet and have a depth of at least one hundred (100) feet
- Restaurants, cafes, drive-ins
- Hotels, motels, tourist courts and tourist homes
- Drive-in theaters, bowling alleys, pool halls, miniature golf, roller-skating rinks and similar amusement enterprises
- Office buildings including drive-in banks
- Public utilities such as electrical sub-stations, telephone exchanges, transmission towers, and similar uses
- Publicly-owned and operated buildings and lands
- Buildings for social, fraternal, social service, union and civic activity
- Mobile home parks, subject to the conditions set forth in ARTICLE V, Section 55.

84.32: Signs

The following signs are permitted:

- Outdoor advertising signs
- Business identification signs
- Accessory signs

84.3: Conditional Use:

The following use is permitted contingent upon a favorable finding of the Board of Appeals as set forth in ARTICLE XII, Section 125, and subject to any conditions imposed by such Board:

83.31: Truck terminals provided that acceleration and deceleration lanes at least fifty (50) feet long are provided for trucks entering or leaving the site and that the truck traffic so generated will not create a safety hazard or unduly impede traffic movement.

84.4: Area, yard and height requirements

84.41: Minimum required lot area.....none

84.42: Minimum required lot width.....20 feet

84.43: Minimum required front yard.....60 feet

All buildings and land use shall be set back a distance of sixty(60) feet from the street centerline of all streets upon which they abut.

84.44: Minimum required side yards:

Where the side of a lot not used for residential purposes abuts upon a lot in residential district there shall be provided a side yard of not less than five (5) feet for each story or each twelve(12) feet in height, but such side yard shall not be less than ten (10) feet in width. In all other cases a side yard shall not be required, but if provided shall be not less than ten(10) feet. Corner lots shall have a minimum side yard requirement of fifty (50) feet from the centerline of the street.

84.45: Minimum required rear yard:

Where the rear of a lot not used for residential purposes abuts upon a lot in a residential district there shall be provided a rear yard of not less than 20 per cent of the depth of the lot, but such rear yard shall not be less than twenty (20) feet in depth. In all other cases no rear yard shall be required ,but if provided it shall be not less than ten (10) feet in depth.

84.46: Maximum building height...3 stories not to exceed thirty-five (35) feet in height.

Section 85: B-O-I Mixed Business Office Institutional District

85.1: Intent

The B-O-I District is established so as to combine certain selective uses found in B-1 and O-I Districts which are peculiarly adaptable to this District by virtue of its transitional nature, which uses may be carried on with no offensive noise, smoke, odors, fumes, or other objectionable conditions in structures surrounded with ample open space for yards and off-street parking.

85.2: Uses Permitted

- Any retail business or service normally providing convenience goods and services to residential neighborhoods, including the making of articles or goods, the majority of which are sold at retail on the premises, provided such manufacturing is incidental to the retail business or service, occupies less than 40 per cent of the floor area and employs no more than five (5) persons exclusive of the proprietor, but excluding new and used automobile establishments.
- Offices, branches of financial institution
- Recreation activities enclosed within a building of less than 6,000 square feet
- All uses permitted in R-5 Districts, except mobile home parks
- All uses permitted in O-I District

85.3: Uses Prohibited

Food service establishments such as sale of hamburgers, sandwiches, etc.; establishments selling beer or wine, either package or to be consumed on premises; filling stations, and any other use not specifically permitted as set forth in Section 85.2.

85.4: Parking

85.41: Use of lots in the B-O-I District as parking lots accessory to uses permitted in adjoining districts is strictly prohibited.

85.42: Where a lot in B-O-I District shall adjoin a lot in the R-5 District an automobile parking lot and access way to the lot in the R-5 District shall be permitted on said lot in the R-5 District provided that the following conditions shall be complied with:

(a) The lot may be used only for parking and not for any loading, sales, storage, repair work, dismantling, or service.

(b) The parking lot in the R-5 District shall be set back from the edge of the street a minimum distance of twenty (20) feet, or so as to conform with building lines of adjoining lots, whichever is greater, which area shall be reserved as open space, guarded with wheel bumpers and planted in grass and/or shrubs or trees, or provided with a solid screen of wood, brick, metal or other permanent material.

(c) A strip of land five (5) feet wide adjoining any lot zoned for residential use shall be reserved as open space, guarded with wheel bumpers, and planted in grass and/or shrubs, or provided with a solid or at least 75 per cent solid screen of wood, brick, metal or other permanent material.

(d) No advertising signs and only unilluminated signs no larger than two (2) square feet, and only one for each and exit, pertaining to the parking lot shall be erected and maintained.

(e) All entrances and exits to the lot shall be barricaded or chained when the lot is not in use at night, if the Building Inspector shall determine that such is a nuisance.

85.5: Walks and Drives

85.51: No sidewalk, path or pedestrian accessway laid out in the B-O-I District shall be of greater width than ten (10) feet.

85.52: No driveway or auto accessway laid out in the B-O-I District shall be of greater width than twenty (20) feet and no property shall be provided with more than two (2) such drives.

85.53: On a corner lot there shall be no driveway or means of access to parking areas within eighty (80) feet of such corner.

85.6: Signs, Exterior Illumination, and Window Display

85.61: Neon signs shall be prohibited in the B-O-I District

85.62: Accessory and business signs shall be permitted provided under the following conditions:

(a) Unilluminated signs except by indirect means shall be permitted only.

(b) Professional and identification signs shall be no larger than two (2) square feet, and other signs no larger than twenty-five (25) square feet.

(c) Not more than one(1)sign shall be permitted in conjunction with each building.

85.63: Exterior flood lights shall be of no greater capacity than three (300) watts, and shall be directed away from streets and adjacent property

85.64: Unless determined by the Building Inspector to be objectionable, exterior floodlights used in conjunction with other than private residences, activvities on the campus of the University of Georgia, fraternities or sororities, shall be extinguished no later than 9 P. M.

85.7: Area, Yard and Height Requirements

85.71: Minimum required lot area----------10,000 sq.ft.

85.72: Minimum required lot width----------75 feet

85.73: Minimum required front yard:

All buildings, structures, land uses and parking shall be set back a distance of 75 feet from the center of the main street upon which they abut.

85.74: Minimum required side yards:

- Fifteen (15) feet each for a structure of no more than two (2) stories. On every lot to be occupied by a structure of more than two (2) stories the minimum required side yards shall be determined by an addition of three (3) feet to each side yard for each full story in excess of two (2) stories.
- The primary purpose of the side yard requirement is to insure adequate light, air and privacy for residential structures, therefore, when an existing structure on an adjacent lot is located closer than ten (10) feet to its side property line:
  --The minimum side yard requirment for a structure of no more than two (2) stories shall be so increased that in no case shall principal structures be closer than twenty five (25) feet.
  --The minimum side yard requirement for a structure of more than two(2) stories shall be so increased that in no case shall principal structures be closer than thirty (30) feet.
  --On corner lots, the side yard requirement shall be the same as for front yards.

85.75: Minimum required rear yard----------25 feet
85.76: Maximum building height----------none
85.77: Maximum Lot Coverage----------40 per cent
85.78: Open Space: Not less than 25 per cent of the area of the lot shall be maintained permanently as usable unpaved open space, exclusive of any required off-street parking space, drying yards, refuse storage and service areas.

ARTICLE IX: REQUIREMENTS FOR INDUSTRIAL DISTRICTS

Section 91: M-1 Limited Industrial District

91.1 Intent:

The M-1 District is established to protect existing industrial areas and to provide facilities for future development. Generally such uses will occupy one-story buildings covering a relatively small proportion of the site and provide landscaped open areas.

91.2 Uses Permitted

The following uses are permitted in any M-1 District:

- Any use permitted in B-2
- Any fabrication, assembly, distribution, and storage operations which is not offensive or objectionable to nearby residential or commercial areas and injurious to the district by reason of emission or creation of noise, smoke, vibration, dust or other particular matter, toxic or noxious waste materials, odors, fire and explosive hazard or glare.
- Railroad and truck terminals and warehouses
- Retail businesses, restricted to those serving the needs of the industrial employees, such as cafes and restaurants.
- Business identification signs and outdoor advertising signs.

91.3: Uses Prohibited

The following uses are prohibited from all M-1 Districts:

- Residences, except for the homes of caretakers
- Places of public assembly

Section 92: M-2 General Industrial District

92.1: Intent

The M-2 District is established to provide adequate facilities to promote the development of industries from other parts of the City of Athens provided that they meet the requirements of Section 93 of this Article.

92.2: Uses Permitted

- Any use permitted in an M-1 District
- Stockyards for livestock and swine, slaughter

houses processing of poultry and livestock

- Bulk storage of petroleum

-Any other manufacturing and processing activities which in the opinion of the Board of Zoning Appeals would not cause obnoxious or injurious fumes, dust, vibration, noise or other injurious conditions or be hazardous to nearby uses or to the community on account of danger or of fire, explosion or air pollution.

92.3: Uses Prohibited

-Residences, except the homes of caretakers

-Places of public assembly

Section 93: Development Standards

93.1: All industrial districts shall conform to the following development standards.

93.2: Area, Yard, and Height Requirements:

93.21: Minimum required lot area----------none

93.22: Minimum required lot width----------none

93.23: Minimum required front yard:

- All buildings or land use shall be set back a distance of seventy (70) feet from the street centerline of all streets upon which they abut.

93.24: Minimum required side yards:

Where the side of a lot not used for residential purposes abuts upon a lot in a residential district there shall be provided a side yard of not less than fifteen (15) feet for each story or each twelve (12) feet in height, but such side yard shall not be less than fifteen (15) feet in width. In all other cases, side yards will not be require except at corner lots, but if provided, shall be not less than fifteen (15) feet in width. On corner lots, the minimum side yard requirement shall be forty (40) feet.

93.25: Minimum required rear yard:

Where the rear of a lot abuts upon a lot in a residential district there shall be provided a rear yard of not less than twenty(20) per cent of the depth of the lot, but such rear lot shall not be less than twenty (20) feet in depth. In all other cases no rear yard shall be required, but if provided, it shall be not less than ten(10) feet in depth.

93.26: Maximum lot coverage:

In industrial districts, development including structures, parking, access drives, service and storage areas, or any one lot shall not exceed the followin lot coverage:

One-story----------90 per cent

two-story----------80 per cent

three-story----------70 per cent

four-stories or higher----------60 per cent

93.3: Enclosures

Where industrial activities are conducted within fifty (50) feet of a lot in a residential district, they shall be conducted within a building or within an area enclosed on all sides by a solid wall, compact evergreen screen, or uniformly painted board fence of not less than six (6) feet in height.

ARTICLE X: EXCEPTIONS AND MODIFICATIONS

Section 101: Use

The provisions of this Ordinance shall not be construed as to limit or to interfer with the construction, installation, operation, and maintenance for public utility purposes, of water and gas pipes, mains and conduits, electrical lights and electric power transmission and distribution lines, telephone and telegraph lines, oil pipe lines, water towers, water tanks, sewer and water mains or pumping stations and all their incidental appurtenances.

Section 102: Existing Lots

Where the owner of one or more adjacent lots of official record at the time of the enactment of this Ordinance does not own sufficient contiguous land to enable him to conform to the minimum lot size requirements of this Ordinance, such lot may nevertheless be used as a building site; provided, however, that the required yards are maintained. Where sufficient contiguous land is available, the entire tract under one ownership shall be resubdivided into lots conforming to the minimum lot size requirements of this Ordinance.

Section 103: Front Yard Setback for Dwellings

When the average front yard depth of existing lots located within two (200) feet on each side of a lot, on the same side of the same street and in the same block and zoning district, is less than the minimum required front yard depth for that zoning district, the front yard depth on such lot may be the average of the existing depths. Such front yard depths shall not be less than twenty (20) feet from the street right-of-way. When the average depth of existing lots is greater than is required by district regulations, such average depth shall be observed by a lot but need not be observed beyond a depth greater than one-hundred-fifty (150) per cent the depth required by the zoning regulations of the district.

Section 104: Height Limits

104.1: Chimneys, cooling towers, elevator bulkheads, fire towers, monuments, stacks, stage towers, scenery lofts, tanks, water towers, ornamental towers and spires, church steeple radio and T. V. towers, or similar structures or equipment may be erected above the height limits herein

prescribed to such height as is in accordance with existing or hereafter adopted ordinances of the Mayor and Council of the City of Athens.

104.2: Public, semi-public, or public service buildings, churches, hospitals, institutions, or schools when permitted in a district may be erected to any height if the building is set back from each yard line at least one (1) foot for each foot of additional building height above the height line otherwise provided in the district in which the building is to be located.

104.3: Single-family and two-family dwellings may be increased in height by not more than ten (10) feet provided the required side yards are increased each an additional five (5) feet for any structure of more than thirty-five (35) feet in height. In no case shall single-family and two-family dwellings exceed three (3) stories in height.

Section 105 : Parking

105.1: When the boundary line of a district divides a lot in single ownership at the time of the adoption of this Ordinance into two portions in different districts, and said lot has frontage in the B-2 or B-3 Districts, that portion of said lot in an R-5 District may be used for an accessory parking area and accessway to said lot provided that the following conditions are complied with:

(a) the area in the R-5 District may be used only for parking and not for any kind of loading, sales, dead storage, repair work, dismantling or service.

(b) parking area in the R-5 District shall be set back from the edge of any street a minimum distance of twenty (20) feet whichever is greater, which area shall be reserved as open space, guarded with wheel bumpers, and planted in grass and/or shrubs or trees, or provided with a solid or at least 75 per cent solid screen of wood, brick, metal or other permanent material.

(c) a strip of land five (5) feet wide adjoining any lot zoned for residential use shall be reserved as open space, guarded with wheel bumpers, and planted in grass and/or shrubs or trees, or provided with a solid or at least 75 per cent solid screen of wood, brick, metal or other permanent material.

(d) no advertising signs and only unilluminated signs no larger than two (2) square feet, and only one for each entrance and exit, pertaining to the parking area shall be erected and maintained.

(e) all entrances and exits to the lot shall be barricaded or chained when the lot is not in use at night.

105.2: Not withstanding any other article or section of this Ordinance, no portion of a lot in an R-4 District or in an O-I District shall be used as an accessory parking area for an activity conducted in a B-2 or B-3 District.

Section 106: Exclusion of Uses

Within the City of Athens, no building, premises, or land shall be used for any of the following uses which may cause injurious or obnoxious noise, vibrations, gas, smoke, fumes, odors, dust, fire hazard or other objectional conditions unless the proposed location, construction and operation of said use shall be found to be not unduly injurious to surrounding developments or to the community in general and shall have been approved by the Board of Zoning Appeals after reports by the Fire and Health Departments and study by the Planning Commission:

- acid manufacture, hydrochloric, nitric, picric, sulphuric and like acids.
- airports and landing fields
- asphalt manufacture or refining or asphalt plant
- automobile race tracks, motorcycle race tracks, karting tracks and similar activities.
- Automobile wrecking, junk and salvage yards

- brick, tile or terra cotta manufacture
- butane or propane storage
- cement, lime, gypsum or plaster of paris manufacture
- chemical manufacture
- chlorine or other noxious gas production or storage in bulk
- commercial or large scale slaughter of animals including abattoirs and the killing of fowl
- concrete, cement products or clay products manufacture
- cotton gins
- cresote manufacture or treatment
- distillation of bones, coal, petroleum, animal refuse, grain, tar, and wood
- explosives, including fireworks manufacture or storage in bulk quantities
- fat rendering, production of fats and oils from animals or vegetable products by boiling or distillation
- feed mills
- fertilizer manufacture
- garbage, offal, dead animal reduction or dumping
- gas manufacture or storage in bulk
- grain elevators
- incinerators, commercial
- petroleum or its products manufacture or wholesale storage of petroleum or its products in quantities
- quarrying or stone crushing
- rock, sand or gravel distribution, storage excavating or crushing
- stock yards, commercial
- storage, sorting collection or baling of rags, paper, metal or junk

Section 107: Existing Mobile Homes

All mobile homes hereafter established shall be developed as a Group Development and conform to the regulations set forth in Section 55, entitled Mobile Home Parks.

107.1 Mobile homes existing at the time of the adoption of this Ordinance shall comply with the provisions of Section 55 within a period of twenty-four (24) months or be removed,

except that the following requirements of said subsection may be waived.

(a) a site having mobile homes may be less than five (5) acres in size, as required in Subsection 55.51;

(b) lot size may be less than six thousand (6,000) square feet, as required in Subsection 55.53, but in no case shall a mobile home be placed on a lot having another residential structure of less than six thousand (6,000) square feet, or on an other-wise vacant lot of less than three thousand (3,000) square feet or with a width of less than thirty (30) feet.

107.2: Existing mobile homes not in conformance with the provisions of Section 55 at the time of the adoption of this Ordinance(except those waived requirements indicated in subsection 107.1 above), shall be considered as non-conforming uses, and shall be governed by the provisions regulating such uses, as set forth in Section 51 of this article.

Section 108: Group Development

It is the intent of this section that large-scale development be encouraged when and as appropriate to permit the greatest latitude possible with respect to 1) internal side planning considerations; and 2) the location of these developments within the City of Athens in the best interests of the long-range development plans of the City.

108.1: General Conditions. Any area may be rezoned as a Group Development District if any one of the following conditions are met:

(a) More than one principal land use is proposed for development on a single parcel under single or multiple ownership.

(b) Separate land uses, which would not otherwise be permitted to locate within the same zoning district, are proposed for development on one or more adjacent parcels under single or separate ownership.

(c) Exceptions or variations to the size, dimensional changes in standards required or other requirements of the Zoning Ordinance are being sought.

108.2: Specific Requirements. In order to qualify for a Group Development zoning classification, a proposed Group Development must first meet the following specific requirments:

a) The site utilized for Group Development must contain an area of not less than four (4) acres.

b) The site must have a minimum width between any two opposite boundary lines of four hundred fifty (450) linear feet, a depth of at least two hundred (200) feet, and must adjoin or have direct access to at least one major thoroughfare as shown on the Official Zoning Map;

c) The area proposed shall be in one ownership, or if in several ownerships, the application for admendment to the Zoning Ordinance shall be filed jointly by all of the owners of the properties included in the plan; and

d) A suitable plan shall be reviewed and approved by the Planning Commission and the City Council. Specifically such plan shall include the following elements, where applicable:

1. A plot plan drawn to scale by a registered engineer, land surveyor, landscape architect or architect showing the exact dimensions of the parcel or parcels of land under consideration, and including the followin

- A site plan drawn to scale (1" = 100' or 1" = 50') and indicating all property dimensions, platting and street systems, proposed building sites, and sizes, types of use proposed for buildings, plans for the protection of abutting properties, means of ingress and egress, access and circulation arrangements, off-street parking and loading faciliti proposed reservations or dedications for streets and other public facilities, and, if requested, two-foot vertical contour intervals.

The site plan giving the name of the development and the developers, a north point, the depth of field survey, tract boundary lines, dimensions, bearings, angles, and reference points to at least two (2) permanent monuments.

--- If the proposal includes the subdivision of land for any purpose or the provision of new public streets, the information required above and any additional informations required with the submittal of Preliminary Plats under the Subdivision Regulations of the City of Athens, the site plan shall be processed simultaneously as a Preliminary Plat under the Subdivision Regulations of the City of Athens and as a part of the application for a Group Development District classification, as provided for in this Ordinance.

2. A written report should be reviewed and approved by the Planning Commission and the City Council, such report shall explain the type, nature, intent, and characteristics of the proposed development, and shall specifically include, where applicable:

-- A general description of the proposal;

-- A detailed legal description of the location of the site;

-- Proposed standards for development, including restrictions on the use of the property, density standards and yard requirements and restrictive covenants;

-- Proposed dedication of land for public use, including streets, easements, parks and school sites;

-- Exceptions or variations from the requirements of the Zoning Ordinance if any are being requested;

-- Plans for the provision of utilities, including water, sewer, and drainage facilities;

-- Plans for protection of abutting properties;

-- Tables showing the total number of acres in the proposed development and the percentage designated for each proposed type of land use, including public facilities;

-- Plans for open space, courts, walks and common areas; and

-- Tabulations of the overall density for residential uses, if any, and other data that the Planning Commission and the City Council may require.

3. In all GD projects, the General Provisions, as set forth in Article V shall govern, unless relief is granted by the Planning Commission.

108.3: Administrative Procedures with Regard to GD Zoning Districts

Any request pertaining to the establishment of a GD Zoning District shall be considered an amendment to the Zoning Ordinance and shall be administered and processed in accordance with the regulations set forth in Article XIII, entitled Amendments, of this Ordinance.

All data set forth in Subsection 108.7 shall be forwarded to the City Council with the recommendations of the Planning Commission. If approved by the City Council, all information pertaining to the proposal shall be adopted as an amendment to the Zoning Ordinance, to be the standards of development for that particular Group Development District.

All further development shall conform to the standards adopted for the district, regardless of any changes in ownership. Any proposed changes in the district shall be treated as amendments to the Zoning Ordinance and must be considered in accordance with procedures set forth in Article XI of this Ordinance. Appeals based on hardship or an alleged misinterpretation of the Ordinance by the Building Inspector shall be processed in accordance with procedures set forth in Article XII.

In any event where it is determined by the City Council that development in the Group Development District is not in accordance with the standards adopted for that district, the City Council shall be empowered to amend the Ordinance to place parts or all of the property in the Group Development District in its prior zoning classification.

Before approval of a development plan the Planning Commission may require a contract with safeguards satisfactory to the city attorney guaranteeing completion of the development plan in a period to be specified by the Planning Commission, but which period shall not exceed five(5) years unless extended by the Commission for due cause shown. Such guarantee may include the submission of a performance bond in an amount as set by the Planning Commission.
The developer of a Genral Development Project shall submit a written request to the Planning Commission for any change, alteration, amendment, or extension to the development plan. If, in the opinion of the Commissinn, the requested change is sufficiently substantial to so warrant, the Commission will hold a public hearing. If the Commission approves such change, it will notify the Building Inspector who shall issue a building permit accordingly.
The violation of any provision of the plan as submitted under the provisions provided herein, shall constitute a violation of this Ordinance.

108.4: Permitted Uses

The following uses shall be classified as Group Development, subject to the provision of this article governing such projects, and to the special provisions as indicated:

GD-100 Urban Renewal Area (GD-UR)

GD-200 Planned Industrial District (GD-PI)

GD-300 Planned Shopping Center (GD-PSC)

GD-400 Group Housing Project (GD-GH)

GD-100 Urban Renewal Area (GD-UR)

Any urban renewal area the plan for which has been officially approved and adopted by the City Council after review and approval by the Planning Commission shall be designated as a Group Development (GD-UR). The indicated land and building development standards incorporated as part of the Urban Renewal Plan and the Disposition Agreement arrived at in connection with the resale of any property within the designated urban renewal area shall thereafter become the zoning standards under this Ordinance, and shall be so applied.

GD-200 Planned Industrial District

GD-201 Intent of District

It is the intent that the GD-PI District be developed and reserved for secondary or auxiliary industrial purposes in a planned, organized and controlled development. The regulations which apply within this district are designed to encourage the formation and continuance of a compatible environment, according to a comprehensive plan for compatible industrial uses which involve light manufacturing, assembling or processing operations or the sale and distribution of goods or products at wholesale; and to discourage any encroachment by residential, commercial or other uses capable of adversely affecting the limited industrial character of the district.

GD-202 Industrial Park Plan

Any area zoned as GD-PI must conform to a comprehensive plan, as indicated in Section 108.2, the site plan of which shall indicate the site preparation and grading, streets and parking areas, loading zones, rail facilities, storm drainage, water and gas systems, electric and gas systems, development schedule, development costs and land use controls, plus any other information deemed to be necessary by the Planning Commission or the developer.

GD-203 Permitted Uses

The following uses shall be permitted in any GD-PI District:

a) Industrial use which does not utilize a drop hammer, automatic screw machine or a punch press of more than a 20-ton capacity; involve an unusual fire, explosion or safety hazard; produce noise, vibration, heat, glare, or electrical disturbance perceptible beyond the premises; and emit offensive fume, smoke, dust, dirt, odor or toxic gas.

b) Permitted uses specifically include establishments which manufacture, assemble, process, fabricate, bottle and/or package one or more of the following materials or commodities:

1) Electronic instruments and/or devices and small electrical appliances such as clocks, irons, radios, phonographs and televisions sets;

2) Bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, ice, soft drinks, and food products other than those involving the processing of seafood, meats, vinegar, sauerkraut or yeast, or the rendering and/or refining of fats and oils;

3) Musical instruments, toys, novelties and small rubber and/or metal stamps;

4) Products from the following materials previously manufactured and/or prepared elsewhere: bone cellulose, canvas, cloth, cork, feathers, felt, fiber, precious or semi-precious metals or stones, fur, glass, horn, leather, paper, plastics, shell, textiles, wood and yarns;

5) Pottery and other ceramic products using only clay previously pulverized elsewhere, and kilns fired only by electricity or gas;

6) Machine parts and light sheet metal products using only materials previously manufactured and/or prepared elsewhere.

c) Warehouse and storage

d) Public building, facility or land, other than a school, playground, park, care home or cultural facility.

e) Public utility installation, including rail facilities.

f) Bus station, railroad terminal.

g) Agricultural farm or dairy.

h) Horticultural nursery

i) Other uses may be permitted which are clearly of an accessory nature and which serve employees of the park, such as swimming pools, restaurants (but not drive-ins) office and administrative building

GD-204 Development Standards

Where development is adjacent to residential areas, the industrial structures must be setback from the property line a sufficient distance to insure the absence of any objectionable affects on such areas. The prpperty lines abutting residential areas must be screened bya permanent, attractive stone wall or wodden fence in a buffer strip sufficient to screen out both sound and view from the residential areas. In addition, all storage yards or outdoor display spaces must be enclosed with a solid or louvered masonery wall or other substantial materials to a height of at least six (6) feet, including the gates and exit points; materials within such enclosures may not be stacked or stored so as to exceed this height.

Minimum front yard setbacks (as measured from street centerline)

Arterial street	Collector street	local street	interior local str in park
60 feet	50 feet	50 feet	40 feet

Minimum side yard setbacks:

None where common walls are used; otherwise fifteen (15) feet

Minimum rear yard: ----------25 feet

Maximum lot coverage: thirty-five (35) percent; the total combined area occupied by buildings, off-street parking, loading and unloading driveways, storage, and the like, shall not exceed ninety (90) per cent of the lot

Minimum lot area:----------7,500 square feet

Minimum lot width----------75 feet

Maximum height:----------three stories (3) but not exceeding thirty-six (36) ft

GL-205 Compatibility of Uses:

Uses permitted must be considered as compatible with each other and with the surrounding area. In general, the following criteria shall be considered when judging the compatibility of uses:

a) Uses which have no harmful or unpleasant effects on each other or upon nearby property(noise, fumes, odors, glare, vibration, smoke, vapors, or gasses, electrical emissions, and industrial wastes).

b) Traffic going to and from the planned district is permitted on nonresidential streets only; traffic routes and exits from a district are far enough away from houses so that truck noise and vibration are not perceived.

c) The industrial district site is located on a major thoroughfare.

d) Appearance is harmonious, in terms of landscaping, enclosure of principal and accessory uses, signs, structural density, and architecture.

e) The distances separating all district uses and buildings from the surroundings are great enough to in fact constitute a buffer. (Loading docks and truck maneuvering areas and terminals should be further removed from residential lot lines than buildings).

GD-300 Planned Shopping Center (GD-PSC)

GD-301 Intent of District

The purpose of the GD-PSC Zone shall be 1) to encourage the logical and timely development of land for commercial purposes and the expansion of shopping centers, in accordance with the objectives, policies, and proposals of the long-range planning studies. 2) to discourage any use which would interfer with the use of the district as a shopping and service center for surrounding residential areas; and 3)to assure suitable design to protect residential environment of adjacent neighborhoods.

The protective standards contained in this article are intended to minimize any adverse effects of the shopping center on nearby property values and to provide for the safe and efficient use of the shopping center itself. Submission of a market analysis is intended in order to establish evidence of a need for a change in the Ordinance and to substantiate a finding that such change will promote the general welfare of the city.

GD-302 Permitted Uses

Any use permitted in the Local Business (B-1) District shall be permitted in the GD-PSC District, without regard to size of establishment; also, department stores.

Multi-family dwelling units on the second and third floors, provided that there is direct access to the parking lot from dwelling units.

GD-303 Market Analysis

The petitioner shall submit a market analysis suitable for the size center proposed, showing the economic need for a shopping center of the size being proposed, and the inadequacy of the existing zoning to meet this need. For these purposes, the market analysis shall contain as a minimum justification the following:

a) Determination of the trade area of the proposed shopping center;

b) Determination of trade area populations, average family incomes by logical subareas, and the effective buying power, both present and future;

c) Estimates of the square footage and gross sales of competitive retail centers;

d) Determination of net potential customer buying power for stores in the proposed shopping center.

GD-304 Design Standards

In addition to the requirements found in Article VI and in the sther sections of this Article, particular attention shall be placed on the following:

Screening and landscaping. The written report, as required in Section 108.2, shall present the methods to be employed to adjust the proposed shopping center to surrounding land uses, including a statement of intent related to provisions and amount of parking, walks, landscaping, lighting, etc., and a statement defining the manner in which the Planning Commission is to be assured that the above mentioned improvements are to be installed and maintained. The shopping center shall provide as a minimum standard that any part of the project area not used for buildings or other structures, loading and accessways or pedestrian walks shall be landscaped with grass, trees or shrubs. Parking areas shall,however, be landscaped with trees and shrubs, not only around the perimeter, but also in the interior of the lot.

Accessways. Areas used by motor vehicles shall be physically separated from public streets by a buffer strip or other effective and suitable barriers against unchanneled motor vehicle access or egress, and shall have not more than two (2) accessways to any one public street, unless unusual circumstances demonstrate the need for additional accesspoints. All accessways to a public street or highway shall be located at least two hundred (200) feet from the intersection of any street lines,

and shall be designed in a manner conducive to safe ingress and egress. Where practicable, exits shall be located on a collector rather than a major street.

Parking and Loading. Parking and loading space requirements are set forth in Article V of this Ordinance. In the case of the Planned Shopping Center, the off-street parking spaces and all of their servicing drives shall be provided within the boundaries of the property being developed as a shopping center. Diagonal parking from the street upon a parking area recessed from the street upon private property shall be prohibited.

Off-street parking spaces shall be provided in the front and/or to the side of the stores and shops. Spaces provided behind the stores or shops shall not be considered usable by the public and shall be creditable towards the total number of required off-street parking spaces in a quantity not greater than fifty (50) percent of the total number of anticipated employees within the shopping center. An exception to this requirement may be made by the Planning Commission if the shopping center is so designed that all of the shops or stores face upon a central mall and the parking areas completely surround the shops or stores, and all sections of the parking area are provide with adequate connecting internal drives and adequate means of ingress and egress to the public streets.

Each shop or business shall be provided with a rear or side entrance that is accessible to a service drive. The service drive shall be in addition to and shall not be a part of the drives or circulation system used by the vehicles of customers or shoppers. The arrangement of truck loading and unloading facilities for each shop or business shall be such that in the process of loading or unloading no truck will block the passage of other vehicles upon the service drive or extend into any other private or public drive, street, or avenue for vehicular circulation.

Storage. No open storage should be allowed unless adequately screened from view.

Lighting. Lighting facilities shall be arranged in a manner which will protect the highway and neighboring properties from direct glare or hazardous interference of any kind.

GD-400 Group Housing Development (GD-GH)

GD-401 Intent of District

It is the intent of the GD-GH District to permit in a large-scale development a more flexible placing of residential buildings on the land, the grouping of open space and such accessory facilities as garages, parking and limited retail and service establishments, and the mixture of housing types, according to a carefully drawn plan of development.

GD-402 Permitted Uses.

The following uses shall be permitted under conditions established in other sections of this district:

a) Single-family and two-family residence, provided that such uses comply with the requirements of the R-5 Residential District.

b) Townhouse , provided that such uses comply with the requirements for townhouses as indicated in Section GD-504

c) Public building exclusively serving the development, such as community center

d) Accessory uses, such as private garages and parking areas, and the following retail and service uses: grocery, confectionery, bakery, newspaper, drug, or hardware store, or barber, beauty, radio-t.v. repair, laundry pick-up or laundromat, watch repair or shoe repair establishment, or doctors, dentist, or similar professional office, provided that: 1) no store or establishment may be larger than 1,000 square feet, except that a grocery store may be as large as 2,500 square feet;

2) no neon or directly illuminated sign shall be used either on the exterior or in windows, and all signs

shall be attached flat to the face of the building;

3) All stores or establishments are within residential Buildings, on the first floor of such buildings, and occupy no more than thirty (30) per cent of such building;

4) off-street loading requirements as indicated in Article V are met; all off-street parking requirements may be waived, provided that at least one off-street parking space is provided for each employee;

5) retail and service uses are designed for the service and convenience of the population living within the project area, and evidence to substantiate this function is presented; no more than ten (10) per cent of the floor space of the total floor space in the project shall be used for retail or service establishments.

GD-403 Site Design

The proposed development must be designed ao as to produce an environment of stable and desirable character not out of harmony with its surrounding neighborhood. The review by the Planning Commission shall consider the following design elements:

a) Open Space: the creation of open space, free of buildings, parking and other uses, available for active recreation, walking and viewing, and a balanced relationship of buildings to this space. A minimum of at least ten (10) per cent of the gross area of the site shall be kept open. Lot sizes may be reduced so as to pool space into common areas; the standards established in the R-5 District shall be considered as minimum.

b) Privacy: personal and individual privacy shall be maintained and balanced with the provision of public and common areas.

c) Variety: interest and variety shall be sought, by means of street design and changes in and mixtures of building types, heights, facades, setbacks, planting, and size of open space. The design should be harmonious as a whole and not simply from street-to-street.

d) Traffic and parking: no through or commercial traffic should be permitted; streets should not be straight for long distances, but should curve so as to discourage fast movement of traffic; group parking areas should be screened so as not to be visible from the street.

GD-404 Townhouses.

404.1 General.

The regulations as contained in this section shall be applied to group development projects as well as to townhouses permitted outright in any district.

404.2 Site Plan and Design Criteria, General

It is the intent of this chapter that townhouses, in areas where they are or may be permitted:

a) May be appropriately intermingled with other types of housing;

b) Shall not form long, unbroken lines of row housing, but shall be staggered, singly or in pairs, by at least ten (10) feet;

c) shall constitute groupings making efficient, economical, comfortable and convenient use of land and open space and serving the public purposes of zoning by means alternative to conventional arrangements of yards and buildable areas.

404.3 Site Plan and Design Criteria, Details.

In line with the general considerations above:

a) Not more than ten (10) contiguous townhouses nor fewer than three (3) shall be built in a row with approximately the same (but staggered) front line.

b) Minimum width for the portion of the lot on which the townhouse is to be constructed shall be eighteen (18) feet, but the minimum average width of a group of five (5) or more units shall be 'twenty (20) feet.

c) Lot area shall average no less than 2,400 square feet, and the minimum of any single lot shall be 2,000 square feet.

d) Separation Requirements. No portion of a townhouse or accessory structure in or related to one group of contiguous townhouses shall be closer than twenty (20) feet to any portion of a townhouse or accessory structure related to another group, or to any building outside the townhouse area.

e) Yards. No front, side, or rear yard as such is required in connection with any townhouse, except that each end building shall have a side yard of twenty-five (25) feet from the center-line of minor streets, thirty-five (35) feet on collector streets, and fifty (50) feet on major arterial streets. Each townhouse shall have on its own lot one yard, private and reasonably secluded from view from streets or from neighboring property. Such yard shall not be used for any accessory building.

f) Grouped Parking Facilities. Insofar as practicable, off-street parking facilities shall be grouped in bays, either adjacent to streets or in the interior of blocks. No off-street parking space shall be more than one hundred (100) feet by the most direct pedestrian route, from a door of the dwelling unit it is intended to serve.

On minor streets, but not on collector or major streets, use of the right-of-way may be permitted for maneuvering incidental to parking. On collector and arterial streets, common parking facilities for three (3) or more automobiles shall provide space outside the public right-of-way for maneuvering incidental to parking.

g) Visibility at Access Points for Automobiles. In addition to the general provisions concerning visibility across portions of corner lots at street intersections, the following requirements apply to all private drives and entrances to or exits from common parking areas. At the intersection of any private drive or entrance or exit for a common parking area with a public street, no fence, wall, hedge or other planting or structure forming a material impediment to visibility between a height of two-and-a-half feet and eight (8) feet shall be erected, planted, placed or maintained.

h) Open Space. In group development projects involving townhouses, and in all townhouse projects where more than ten(10) units are to be constructed, a common area amounting to at least ten (10) per cent of the gross townhouse project area shall be provided on the same or adjacent block. No buildings, parking, storage or other use shall be made of this open space.

ARTICLE XI. ADMINISTRATION, ENFORCEMENT AND PENALTIES.

Section 111: Zoning Enforcement Officer

It shall be the duty of the Building Inspector, appointed by the City Engineer and approved by the Mayor and City Council to enforce the provisions of this Ordinance.

Section 112: Building Permits

Building permits shall be issued in accordance with the following provisions:

112.1: Building Permit Required: It shall be unlawful to commence the excavation or filling of any lot for any construction of any building, or to commence construction or moving or alteration of any building, or to commence the development of land for a use not requiring a building until the Building Inspector has issued a building permit for such work.

112.2: Issuance of Building Permit: In applying to the Building Inspector for a building permit, the applicant shall submit two (2) copies of a dimensional sketch or a scaled plan signed by the owner or his authorized agent, indicating the shape, size and location of the lot to be built upon and the shape, size, height, use and location of the building to be erected, demolished, altered, or moved and of any buildings already on the lot, the number of dwelling units the building is designed to accommodate, if any, the setback lines of buildings on adjoining lots and such other information concerning the lot or adjoining lots as may be essential for determinimg whether the provisions of this Ordinance are being observed.

If the proposed excavation, filling, construction or movement set forth in said sketch or plan are in conformity with the provisions of this Ordinance and other ordinances of the City of Athens, Georgia, then in force, the Building Inspector shall sign and return one (1) copy of the sketch plan to the applicant and shall issue a building permit upon payment of any required fees. The Building Inspector shall retain one (1) copy of the building permit and one (1) copy of the sketch or plan.

112.3: Refusal of Building Permit: If the sketch or plan submitted describes work which does not conform to the requirements of this Ordinance, the Building Inspector shall not issue a building permit, but shall return one (1) copy of the sketch or plan to the applicant along with a signed refusal in writing. Such refusal shall state the reasons therefor and shall cite the portions of this ordinance with which the submitted sketch or plan does not comply. The Building Inspector shall retain one (1) copy of the sketch or plan and two (2) copies of the refusal.

112.4: Time Limitations: Any building permit issued shall become invalid unless the work authorized by it shall have been commenced within six (6) months of its date of issue, or if the work authorized by it is suspended or abandoned for a period of one (1) year.

Section 113: Certificate of Occupancy:

Certificates of occupancy shall be issued by the Building Inspector in accordance with the following provisions:

113.1: Certificate of Occupancy Required: A Certificate of Occupancy issued by the Building Inspector is required in advance of occupancy or use of:

(a) A building hereafter erected,
(b) A building hereafter altered so as to affect height, the side, front, or rear yards,
(c) A change of type of occupancy or use of any building or premises,
(d) Each non-conforming use created by the passage of subsequent amendments to this Ordinance, or
(e) Occupancy and use of vacant land, except for raising crops.
(f) Mobile Home Park or mobile home outside a Mobile Home Park.

113.2: Issuance of Certificate of Occupancy: After completion of the structure and upon payment of any required fees, the Building Inspector shall sign and issue a Certificate of Occupancy if the proposed use of land or building as stated on the Certificate of Occupancy and signed thereto by the owner or his appointed agent is found to conform to the applicable provisions of this Ordinance, and if

the building, as finally constructed, complies with the sketch or plan submitted for the building permit. One copy of all Certificates of Occupancy issued, which contain a statement of the intended use of the applicable property signed by the owner or his agent, shall be kept on file in the office of the Building Inspector. Copies shall be furnished on request to any person, at said person's expense, having a proprietary or tenancy interest in the building or land involved.

113.3: Denial of Certificate of Occupancy: A Certificate of Occupancy shall not be issued unless the proposed use of a building or land conforms to the applicable provisions of this Ordinance, or unless the building, as finally constructed, complies with the sketch or plan upon which the building permit was issued.

Section 114: Records

It shall be the duty of the Building Inspector to keep a record of all Building Permits and Certificates of Occupancy issued, with a notation of all all special conditions involved. He shall file and safely keep copies of all sketches and plans submitted, and the same shall form a part of the records of his office and shall be available for the use of the Board of Commissioners, Board of Zoning Appeals, Planning Commission, and officials of the City of Athens, Georgia, and any person having ap proprietary or tenancy interest in the building or land involved.

Section 115: Enforcement

115.1: All departments, officials, and public employees of the City of Athens which are vested with the duty or authority to issue permits or licenses shall conform to the provisions of this Ordinance and shall issue no permit or license for any use, building, or purpose if the same shall be in conflict with the provisions of this Ordinance.

115.2: Any permit or license issued in conflict with the provisions of these regulations will be null and void.

115.3: It shall be the duty of the Mayor of the City of Athens to direct the City Attorney to bring suit in the name of the Mayor and Council of the City of Athens to enjoin any use of land or use, alteration, or erection of building which constitutes a violation of this Ordinance when no other civil remedy shall exist.

115.4: It shall be the duty of the Mayor of the City of Athens to initiate a prosecution pursuant to the provisions of Section 69-1212 and 69-9904 of the Georgia Code annotated against any person violating the provisions of this Ordinance; and it shall be the duty of the City Attorney of the City of Athens to assist the state in such prosecution.

Section 116: Penalties

Any person violating any provision of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be punished for each offense according to law. Each day such violation continues shall be deemed a separate offense.

ARTICLE XII: BOARD OF ZONING APPEALS

Section 121: Establishment of Board of Zoning Appeals

An Athens Board of Zoning Appeals is hereby established. The word "Board" when used in this Article shall be construed to mean Board of Zoning Appeals. The Board shall consist of five (5) members, all of whom shall be taxpayers and residents of the City of Athens, Georgia, appointed by the Mayor and confirmed by the Council. The term of office of the members of the Board shall be for five (5) years and until their successors are appointed, except that at the time of the initial appointment of Board members one (1) shall be appointed for a term of one (1) year, one (1) shall be appointed for a term of two (2) years, one (1) shall be appointed for a term of three (3) years, one (1) shall be appointed for a term of four (4) years and one (1) shall be appointed for a term of five (5) years. Thereafter, members shall be appointed for terms of five (5) years each. Vacancies shall be filled for the unexpired term in the same manner as the initial appointment is made. Members of the Board shall be removed for cause by the Mayor and Council upon written charges and after public hearing. None of the members of the Board shall be employees or officials of the City of Athens.

Section 122: Proceedings of the Board of Zoning Appeals

122.1 The Board shall elect one of its members as chairman, who will serve for one year and until his successor is elected. The Board shall appoint a secretary who may be an officer of the governing authority or of the Planning Commission. The Board shall have the right to adopt rules not in conflict with the provisions of this Ordinance. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may by rule determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses by subpoena. The Board shall keep minutes of the proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact; and shall keep records of the examinations and other official actions, all of which respectively shall be filed in the office of the City Clerk of the City of Athens.

122.2: In the event that a memeber of the Board, or a member's family, has a personal or financial interest in the case before the Board, he shall inform the Chairman of the fact and remove himself from the Board until said case shall have been decided. If the Chairman is aware that a member of his family has an interest in the case and the member does not make this fact known, the Chairman shall ask the member to remove himself from the Board until the particular case has been decided.

Section 123: Appeals, Hearings, Notice

Appeals to the Board may be taken by any person aggrieved or by any officer or department of the City of Athens affected by any decision of the City Building Inspector based in whole or in part upon the provision of these zoning regulations. Such appeal shall be taken within such period as may be provided by the rules of the Board by filing with the officer from whom the appeal is taken and with the Board a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all of the papers constituting the record upon which the action appealed from was taken.

The Board shall fix a reasonable time for the hearing of the appeal and shall give public notice thereof, as well as due notice to the parties in interest and shall decide the appeal within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.

Within ten (10) days after receiving notice of the appeal the Building Inspector shall cause to have posted in a conspicuous place on the property one (1) or more signs, each of which shall be not less than twelve (12) square feet in area, and each of which shall contain information as to the proposed change and the date and time ofthe public hearings before the Board. Both the sign and the public notice shall be published at least fifteen (15) days before the hearing by the Board of Zoning Appeals.

Section 124: Stay of Proceedings

An appeal stays all proceedings in furtherance of the action appealed from, unless the Building Official from whom the appeal is taken certifies to the Board of Zoning Appeals after the notice of appeal shall have been

filed with him that, by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life and property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Zoning Appeals or by the Superior Court of Clarke County, Georgia on application, on notice to the Building Inspector from whom the appeal is taken and on the cause shown.

Section 125: Power and Duties of the Board of Zoning Appeals

The Board of Appeals shall have the following powers and duties:

125.1: To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by any official of the City of Athens in the enforcement of the provisions of this Ordinance.

125.2: To hear and decide special exceptions to the terms of this Ordinance upon which the Board is required to pass as stated in Section 11 of the General Planning and Zoning Enabling Act of the State of Georgia (Act No. 358, 1957, as amended).

It is the intent of this Ordinance that review by the Board of Zoning Appeal shall be limited to an examination of the specific technical factors involved and shall not be of the nature of a public hearing. To clarify questions concerning potential impact of a proposed use on adjacent land, the Board may hear the testimony of any person appearing before it; but this shall not be constructed as a public hearing, nor shall it be advertised unless the Board shall deem such advertising desirable in a specific instance.

It shall be the assumption of the Board that a special exception (listed as "conditional use" in this Ordinance) is eligible for location in a district in which it is enumerated if it can clearly demonstrate that the following conditions exist:

(a) Adequate provision is made such as setbacks, fences, etc., to protect adjacent properties from possible adverse influence of the proposed use such as noise, dust, vibration, glare, odor, electrical disturbances and similar factors.

(b) Vehicular traffic and pedestrian movement on adjacent streets will not be hindered or endangered.

(c) Off-street parking and loading and the entrances to and exits from such parking and loading will be adequate in terms of location, amount and design to serve the use.

(d) Public facilities and utilities are capable of adequately serving the proposed use.

(e) The proposed use will not adversely affect the level of property values or general character of the area.

The Board of Zoning Appeals may impose such reasonable conditions as in its opinion will accomplish the intents and purposes of this Ordinance.

125.3: To authorize, upon appeal in specific cases, such variances from the requirements of this Ordinance where, owing to special conditions, a literal enforcement of the provisions of this Ordinance will, in an individual case, result in unnecessary hardship; provided that the spirit of this Ordinance shall be observed, public safety and welfare secured and substantial justice done. A variance may be granted in such individual cases upon a finding of the Board that all of the following conditions exist:

125.31: There are extraordinary and exceptional conditions pertaining to the particular property, building, or structure in question because of its size, shape and topography, and

125.32: The literal applications of the provisions of this Ordinance to the particular property, structure, or building would create an unnecessary hardship, and

125.33: Such conditions are peculiar to the particular property building or structure, and not to other such property in the district, and

125.34: Relief, if granted, would not cause substantial detriment to the public welfare, or impair the purposes and intent of this Ordinance, provided, however, that no variance be granted for a use of such property, building, or structure prohibited by this Ordinance.

125.35: Such conditions be not caused by action, or inaction, of the owner or previous owner of the property, building or structure in question.

125.36: The existence of non-conforming uses of neighboring property, buildings or structures in the same or other districts shall not constitute reason for a request for a variance.

Section 126: Decisions of the Board of Zoning Appeals

In exercising the above-mentioned powers, the Board of Zoning Appeals may, in conformity with the provisions of this Ordinance, reverse or affirm, wholly, or partly, or may modify the order, requirement, decision or determination as ought to be made, and to that end shall have the powers of the Building Inspector from whom the appeal is taken. The concurring vote of three (3) members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Building Inspector, or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance, or to affect any variation in this Ordinance.

Section 127: Appeals from the Board of Zoning Appeals

Any person or persons, jointly or severally aggrieved by any decision of the Board of Zoning Appeals, or any taxpayer, or any officer, department, board or bureau of the municipality may seek review of such decision by Superior Court of Clarke County, Georgia, as provided by law.

ARTICLE XIII: AMENDMENTS

Section 131: Amendments

This Ordinance, including the zoning map, may be amended from time to time by the City Council of Athens, Georgia, but no amendment shall become effective unless it shall have been proposed by, or shall first have been submitted to the Athens-Clarke County Planning Commission for review and recommendation. The Banning shall have thirty (30) days within which to submit its report. If the Planning Commission fails to submit a report within the thirty (30) day period it shall be deemed to have approved the proposed amendment.

131.1: The Planning Commission shall study the need and justification for the change based on a determination of the following facts:

(a) The possible effects of the change in the regulations or map on the character of a zoning district, a particular piece of property, neighborhood, a particular area, or the community.

(b) The relation that the proposed amendment bears to the purpose of the overall zoning program, with due consideration as to whether or not the proposed zoning change will help carry out these purposes as stated in Article I of this Ordinance.

(c) When pertaining to a zoning map change, the Planning Commission shall determine the amount of undeveloped land in the general area affected which has the same district classification as the map change requested.

Section 132: Public Hearing

Before enacting an amendment to this Ordinance, the City Council of the City of Athens, Georgia, shall hold a public hearing thereon, at least fifteen (15) days notice of the time and place of which shall be published in a newspaper of general circulation in the City of Athens, Georgia.

ARTICLE XIV: LEGAL STATUS PROVISIONS

Section 141: Conflict with other Regulations

Whenever the regulations of this Ordinance require a greater width or size of yards, or require a lower height of buildings or smaller number of stories, or require a greater percentage of lot to be left unoccupied, or impose other more restrictive standards than are required in or under any other statute, the requirements of this Ordinance shall govern. Whenever the provisions of any other statute require more restrictive standards than are required by this Ordinance, the provisions of such ordinance shall govern.

Section 142: Separability

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole, or any part thereof which is not specifically declared to be invalid or unconstitutional.

Section 143: Repeal of Conflicting Ordinances

The Zoning Ordinance of the City of Athens, Georgia, adopted on October 4, 1960, as amended, is hereby repealed and this ordinance is adopted and enacted in lieu thereof. The present members of the "Athens Zoning Board" as provided by Article XX of the Zoning Ordinance of the City of Athens, Georgia, adopted on October 4, 1960, shall be and constitute the members of the "Athens Board of Zoning Appeals" as established by Section 121 of this ordinance and shall serve out their unexpired terms originally appointed to with the duties provided by Section 121 and other relevant sections of this ordinance. The Secretary of the "Athens Zoning Board" shall be the Secretary of the "Athens Board of Zoning Appeals" and shall serve the unexpired term to which he was originally appointed to. All rules adopted by the "Athens Zoning Board" shall be the rules of the "Athens Board of Zoning Appeals", except where in conflict with this ordinance.

Section 144: Effective Date

This Ordinance shall take effect and be in force from and after the date of its adoption, the public welfare demanding it.

Section 145:

Initial appointments previously made to the Athens Zoning Board under Article XX, Section A, of the Zoning Ordinance of the City of Athens adopted on October 4, 1960, as amended, shall be counted as initial appointments under Section 121 of this Ordinance for the purpose of determining terms of office under Section 121.

APPENDIX A: DEFINITION OF TERMS USED IN THIS ORDINANCE

Section A1: Interpretation of Certain Terms and Words

Except as hereinafter designated all words and phrases used in this ordinance shall have their customary dictionary definitions. Words used in the present tense include the future tense. The singular number includes the plural. The word "person" includes a firm, association, organization, trust, company, partnership or corporation as well as an individual. The word "lot" includes the word "plot" or "parcel". The word "building" includes the word "structure". The term "shall" is always mandatory. The word "used" or "occupied" as applied to land or building shall be construed to include the words "intended", "arranged" or "designed" to be used or occupied. The word "map" or "zoning map" means the zoning map of the City of Athens, Georgia.

Section A2: Definitions

A2.1 Agriculture: Land, buildings, or structures used for farming, forestry, livestock, or poultry production.

A2.2 Alley: A private or public thoroughfare which affords only secondary means of access to abutting property, and not intended for general traffic.

A2.3 Apartment: A room or suite of two or more rooms which is designed or intended for occupancy by, or which is occupied by, one family doing its cooking therein, or by one person doing his or her own cooking therein. For purposes of zoning an apartment shall be regarded as a dwelling unit and a structure containing three or more apartments shall be regarded as a multiple dwelling.

A2.4: Apartment, Studio or Efficiency: One room which is designed or intended for occupancy by, or which is occupied by one family doing its cooking therein, or by one person doing his or her own cooking therein. For zoning purposes a studio apartment shall be regarded as a dwelling unit and a structure containing three or more apartments shall be regarded as a multiple dwelling.

A2.5: Automobile Service Station : Any building or premises used primarily for the dispensing, servicing, or offering for sale at retail of any automobile fuels, oils, or accessories and in connection with which is performed general automotive servicing as distinguished from automobile repairs.

A2.6: Boarding or Rooming House: A building which is designed or primarily used for the occupancy for compensation of three or more persons, but not exceeding twenty persons, and in which, provision for meals may be made, providing cooking is done in a central kitchen and not in individual rooms or suites. For purposes of zoning a boarding or rooming house shall be regarded as a multiple dwelling.

A2.7: Building: Any structure designated or intended for support, enclosure, shelter or protection of persons, animals, or property. When a structure is divided into separate parts by unpierced walls extending from the ground up, each part shall be deemed a separate building.

A2.8: Building, Accessory (use, accessory): A subordinate building located on the same lot with the principal building or a subordinate use of land; either of which is customarily incident to the principal building or to a principal use of the land.

A2.9: Building, Height of: The vertical distance measured from the average elevation of the proposed finished grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the average height of the highest gable of a pitch or hip roof.

A2.10: Building, Principal: A building in which is conducted the main or principal use of the lot upon which said building is situated.

A2.11: Building, Setback: (building line): The distance between the front line of the principal building and the center line of the street right-of-way in a district, lot, parcel, or tract of land.

A2.12: Carport: A partially enclosed structure attached to a principal structure and used for the housing of not to exceed three motor vehicles, the property of, and for use by, the occupants of the lot upon which said structure is located.

For purposes of zoning, a carport attached to a principal structure shall be regarded as part of that principal structure, and not as an accessory structure.

A2.13: Certificate of Occupancy: A statement signed by the Building Inspector, setting forth that a building, structure, or use complies with all zoning regulation and that the same may be used for the purposes stated therein.

A2.14: Clinic: An establishment where patients, who are not lodged overnight, are admitted for examination and treatment by one physician or a group of physicians practicing medicine.

A2.15: Club: A building or facilities owned or operated by and for special educational or recreational purposes, but not primarily for profit, or to render a service that is customarily carried on for gain.

A2.16: District: A section or sections of the City of Athens for which the regulations governing the use of lots and structures, the height and bulk of structures, the proportion of a lot that a building can occupy, and the density of populations are uniform.

A2.17: Dwelling: A building or portion thereof which is designed or used exclusively for residential purposes, including single-family, two-family, and multiple family dwellings, rooming and boarding houses, fraternities, sororities and tourist homes, but not including hotels, motels, or mobile homes.

A2.18: Dwelling, Single-family: A building designed for or occupied exclusively by one family.

A2.19: Dwelling, Two-family: A building designed for or occupied exclusively by two families, living independently of each other.

A2.20: Dwelling, Multiple: A building or portion thereof designed for or occupied by three or more families living independently of each other, by members of a fraternity or sorority, by boarders or roomers, or by guests in a tourist home.

A2.21: Dwelling Unit: A dwelling or a portion of a dwelling used by one family for cooking, living, and sleeping purposes.

A2.22: Family: A group of one or more persons occupying a single dwelling unit, as distinguished from a group occupying a boarding house, rooming house, club, hotel, sorority or fraternity house.

A2.23: Frontage: The distance along the property line of all the property on one side of a street between two intersecting streets measured along the same line of the street, or if the street is deadended the distance along the property abutting one side between an intersecting street and the dead-end of the street.

A2.24: Garage; Private: An accessory building housing not more than three motor vehicles, the property of, and for use of, the occupants of the lot on which the private garage is located.

A2.25: Garage, Storage: Any building or premises using for housing only of motor vehicles, and at which automobile fuels and oils are not sold, and motor vehicles are not equipped, repaired, hired, or sold.

A2.26: Garage, Public: Any building or premises, except such uses as a private or storage garage, used for equipping, repairing, or rebuilding motor vehicles.

A2.27: Grade:

(a). For buildings having walls adjoining one street only, the elevation of the sidewalk at the center of the wall adjoining the street;

(b). For buildings having walls adjoining more than one street, the average of the elevation of the sidewalk at the centers of all walls adjoining the street;

(c). For buildings having no walls adjoining a street, the average level of the finished surface of the ground adjacent to the exterior walls of the building;

(d). Any wall approximately parallel to and not more than five feet from a street line, is to be considered as adjoining the street.

A2.28: Home Occupation: A use conducted entirely within a dwelling which is carried on by the occupant thereof and which is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character of the dwelling or reveal from the exterior that the

dwelling is being utilized in part for other than dwelling purposes, except by the presence of a sign of the type specified in Appendix A, Section 2.45 hereof. In connection with a home occupation there shall be no display, no stock in trade, nor comodity sold on the premises; nor more than 25 per cent of the floor area of the dwelling utilized for such home occupation, nor persons not residents of the premises employed in connection with the home occupation; nor shall any materials or property held for repair be located outside the dwelling. This definition specifically excludes doctors and dentists.

A2. 29: Hotel: A building or portion thereof which is designed or used for the transient or temporary occupancy for compensation of ten or more individuals or for the more permanent occupancy of twenty or more persons who are lodged with or without meals and in which provision for cooking is made preponderately in a central kitchen and not in the individual rooms or suites.

A2. 30: Junk Yard including Auto Wrecking: A lot or part thereof used for the collection, storage, keeping, sale, or abandonment of junk, including scrap metal, paper, or other scrap materials, or for the dismantling, demolition, or abandonment of automobiles or other vehicles, or machinery or parts thereof.

A2.31: Lot: A parcel of land occupied or intended for occupancy by principal building or buildings or uses, and any accessory buildings and uses incidental to it, with such open spaces as are required by this ordinance.

A2.32: Lot, Corner: A lot abutting upon two or more streets at their intersection.

A2.33: Lot, Depth of: The mean horizontal distance between the front and rear lot lines.

A2.34: Lot, Double Frontage; or Through: A lot having a frontage on two non-intersecting streets, as distinguished from a corner lot.

A2.35: Lot, Interior: A lot other than a corner lot.

A2.36: Lot lines: The lines bounding a lot.

A2.37: Lot of Record: A lot which is part of a subdivision, the map of which has been recorded in the office of the Clerk of the Superior Court of Clarke County, Georgia; or a parcel of land the deed of which has been

recorded in the office of the Clerk of the Superior Court of Clarke County.

A2.38: Lot Width: The distance between side lot lines measured at the front building line.

A2.39: Mobile Home, (house trailer): A living unit for transient or year round occupancy which designed or intended to be movable; having no foundation other than wheels, jacks, or skirting; and is provided with a flush toilet and a bath or shower.

A2.40: Mobile Home Park: A plot of ground upon which two or more mobile homes occupied for dwelling or sleeping purposes are located regardless of whether or not a charge is made for such accommodations.

A2.41: Non-conforming Use: Any building or land lawfully occupied by a use at the time of the passage of this Ordinance or subsequent amendments thereto which does not conform after the passage of this ordinance or amendments thereto with all the regulations of the district in which said building or land is situated.

A2.42: Nursing Homes: A home for the aged, chronically ill, or incurable persons in which three or more persons not of the immediate family are kept or provided with food and shelter or care for compensation; but not including hospitals, clinics, or other similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

A2.43: Parking space: An area of appropriate dimensions of not less than two hundred square feet net, exclusive of maneuvering area and passageways, to be used exclusively as a temporary storage space for private motor vehicles.

A2.44: Retail store: A commercial use or establishment where at least one-half of the sale of goods is made to the ultimate consumer for direct consumption and not for resale.

A2.45 Sign: Any structure or natural object such as a tree, rock, bush, and the ground itself, or part thereof, or device attached thereto, or painted or represented thereon, which shall be used to attract attention to any object, product, place, activity, person, institution, organization, or business, or which shall display or include any letter, word, model, banner, flag, pennant, insignia, device, or representation used as, or which is in the nature, an announcement, direction or advertisement.

For the purpose of this ordinance the word "sign" does not include the flag,

pennant or insignia of any nation, state, city or other political unit, or any official traffic announcements, or notices required by law.

A2.46: Sign, Accessory:

(a) A non-illuminated professional or identification sign not exceeding two square feet in area.

(b) A sign pertaining only to the rent, lease, or sale of premises upon which it is displayed or to the sale of products grown or raised on the premises which does not exceed twelve square feet in area.

(c) A sign or bulletin board, not in excess of sixteen (16) square feet, located on the premises of a church, institution, club, or fraternal organization, and pertaining to the activities of the same.

(d) Directional or informational signs of a public or quasi-public nature and not exceeding eight square feet in area, and which states the name and location of an incorporation or unincorporated community public or private institution, church, or the name and place of meeting an official or civic body such as the Chamber of Commerce, Rotary, Civitan, Kiwanis.

A2.47: Sign, Business Identification: An attached or free-standing structure on which are announced the nature of the business on the premises and/or the name of the operator of the business.

For the purposes of these regulations a business sign shall direct attention to a business, commodity, service, or entertainment, exclusively related to the premises.

A2.48: Sign, Outdoor Advertising: An attached free-standing or structural poster panel or painted sign for the purpose of conveying some information, knowledge, or idea to the public, regarding a business, commodity, service or entertainment, conducted, sold or offered elsewhere than on the premises and only incidentally on the premises if at all.

A2.49: Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, the space betweenthe floor and the ceiling next above it, provided that a room, suite, or story,

with more than one-half of its height below grade shall not be considered a story for the purposes of height regulations, and provided further, that a room, suite, or story, having part but not more than half of its height below grade shall be considered a story for the purpose of height regulations only if said room, suite, or story shall be subdivided and used for budiness, or shall be used for dwelling purposes by other than a member of the household or a janitor, servant, or watchman employed on the premises.

A2.50: Story, Half (1/2) : A space under a sloping roof which has the line of intersection of roof decking and floor face not more than three feet above the top floor level, and in which space not more than two-thirds (2/3) of the floor area is finished off for use.

A2.51: Street: A highway, road, avenue, boulevard lane or alley, embracing roadway, sidewalk and parking spaces.

(a) Arterials - These roads are designed to carry rapid, continuous traffic to major magnets within the urban area. Routes will usually pass through or near the heart of the city, connecting residential, commercial, industrial and public activity areas.

(b) By-pass - A highway designed for fast, continuous movement of all types of traffic between highways and widely separated parts of the urban area. By-passes generally have limited or controlled access and are usually grade-separated at railroads and major crossings.

(c) Collector streets - These streets bring traffic to arterials, or interconnect arterials. They provide for relatively easy movement at moderate speeds from homes and businesses to arterials.

(d) Local streets:- These streets provide direct access to abutting properties.

The classification of each street in the City of Athens is shown on the "Zoning Map of the City of Athens, Georgia".

A2.52: Street Line or Right-of-Way Line: A dividing line between a lot, tract, or parcel of land and a contiguous street.

A2.53: Structure: Anything constructed or erected which required location on the ground or attachment to something having a location

on the ground. The term shall include such things as gasoline pumps, signs, mobile homes, and other portable vehicles or structures from which products are vended, and similar objects.

A2.54: Structural Alterations: Any change in the supporting members of a building such as bearing walls or bearing partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls.

A2.55: Subdivision: The division of a lot, tract, or parcel of land into two or more lots or other division of land, for the purpose, whether immediate or future, of transfer of ownership or building development, or if a new street is involved, any division of a parcel of land; excepting, however, any division of land for agricultural purposes and not involving any new street or road, and excepting the sale or exchange of parcels of land between owners of adjoining property provided that additional lots are thereby created and that the lots created are not reduced below the minimum sizes required by zoning regulations.

A2.56: Tourist Courts (motels): Land occupied by a group of two or more detached, semi-detached or multiple unit buildings, containing guest rooms, with automobile parking space and incidental utility structures, which are provided in connection therewith, all of which is used or designed for use primarily by automobile transients.

A2.57: Tourist home: A dwelling in which more than one but not more than ten guest rooms are used to provide or offer overnight accomodations for transient guests for compensation.

A2.58: Warehouse: A use or building provided for the purpose of depository or securing of goods, wares or merchandise.

A2.59: Wholesale establishment: A use or establishment where at least one-half of the goods for sale will not be bought for direct consumption by the buyer, but will be resold.

A2.60: Yard: An open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upwards, except as otherwise provided herein.

A2.61: Yard, Front: An open, unoccupied space on the same lot with

a principal building, extending the full width of the lot and located between the street line and the front line of the most protruding portion of the building projected to the side lines of the lot.

A2.62: Yard, Rear: An open space on the same lot with a principal building, unoccupied except by a permitted accessory building, extending the full width of the lot and located between the rear line of the lot and the rear line of the most protruding portion of the building projected to the side lines of the lot.

A2.63: Yard, Side: An open, unoccupied space on the same lot with a principal building located between the side of the most protruding portion of the building and the side line of the lot and extending from the rear line of the front yard to the front line of the rear yard.

APPENDIX TABLE B: MULTI-FAMILY DENSITY

The following table is presented in order to compute densities in multi-family structures.

a. When all dwelling units will have the same number of bedrooms, the densities permitted are shown on page

b. When there are more than one type of unit planned, the following table will be used to determine densities. The height of the planned structure will determine whether the first, second or third line is used. Then, multiply the number of each type of unit by the total area required to discover how much space is needed to comply.

Example: A two-story building is planned on a lot 90 x 600 (or 54,000 square feet). The development would contain 10 efficiencies, 5 one-bedrooms, and 5 two-bedroom units. To determine if this many units is allowable, use the second line (which is for two-story buildings) then multiply as follows:

			REQUIRED Space Limit
10 efficiency	X	2,000 =	20,000
5 one-BR	X	2,100 =	10,500
5 two-BR	X	3,100 =	15,000
			45,500 sq. ft. required

The builder's land acreage is sufficient.

APPENDIX TABLE B: LAND REQUIREMENTS IN MULTI-FAMILY STRUCTURES
(In square feet)

Height	Efficiency	1 - BR	2 - BR	3-BR	4-BR or more
1-story	2,200	2,500	3,500	4,000	5,000
2-story	2,000	2,100	3,100	3,600	4,500
3-story	1,800	1,900	2,700	3,100	4,000
4-stories or higher	1,500	1,600	2,400	2,700	3,500

APPENDIX TABLE C: SUMMARY OF REQUIREMENTS, BY DISTRICTS

Zoning Symbol	Zoning District Title	Min. Lot Area Sq.Ft.	Min. Area per Dwelling Unit Sq. Ft.	Max. Density per net Acre Dwelling Unit	Min. Lot Width Feet	1) Minimum Front Yard Maj. Feet	Coll. Feet	Loc. Feet	Min side yard(for one side) Feet	Min. Rear Yard Feet	2) Maximum Building Coverage per cent	Maximum Building Height Stories	Feet
R-1	Single-family	20,000	20,000	2	100	60	45	40	15	25	25	none	none
R-2	Single-family	12,000	12,000	4	90	60	45	40	15	25	30	none	nonw
R-3	Single-family	9,000	9,000	5	75	55	45	40	7 3)	25	30	none	none
R-4	One-and Two-family	6,000	6,000	7	60	55	45	40	7 3)	25	35	none	none
R-5	Multi-family	6,000	4,000	Append. Table B	60 4)	55	45	40	10 5)	25	30 6)	5	65
BCI	Mixed Business Office, Institutional	10,000	Appen.Table B.	App.Table B.	75	See Sec. 85.73)			15 5)	25	40	none	none
O-I	Office-Institutional	10,000	"	"	75	60	45	40	15 5)	25	40	none	none
B-1	Local Business	none	"	"	20	60	40	40	None 7)	20	100	3	35
B-2	Wholesale Bus.	none	"	"	20	60	40	40	"	20	100	none	none
B-3	Central Bus.	none	"	"	none	-	-	-	"	None 7)	100	none	none
B-4	Highway Service	none	-	-	20	60	60	60	"	"	100	3	35
M-1	Limited Indus.	none	-	-	none	70	70	70	"	"	8)	none	none
M-2	General Indus.	none	-	-	none	70	70	70	"	"	8)	none	none

1) Measured from street centerline. Maj.(Major Arterial); Coll. (Collector Street); Loc. (Local street); no building may be closer to the street line than 20 feet in residential areas, 15 feet in commercial areas, except B-3, where no setback is required.

2) Buildings over 5 stories must be reviewed by Fire Chief.

3) One side yard must be at least 10 feet

4) For Multi-family structures, 150-foot min. lot width; 60-foot min. setback on major arteries; 40 foot setback on collector streets.

5) Plus 3 feet addition for each story over 2. 6) 25 per cent coverage for building 4 and 5 stories. 7) but if provided, 10 feet. 8) 90 per cent for one-story; 80 per cent for two-story; 70 per cent for three story; 60 per cent for four or more stories.

Approved and transmitted to Mayor and Council,
City of Athens, Georgia

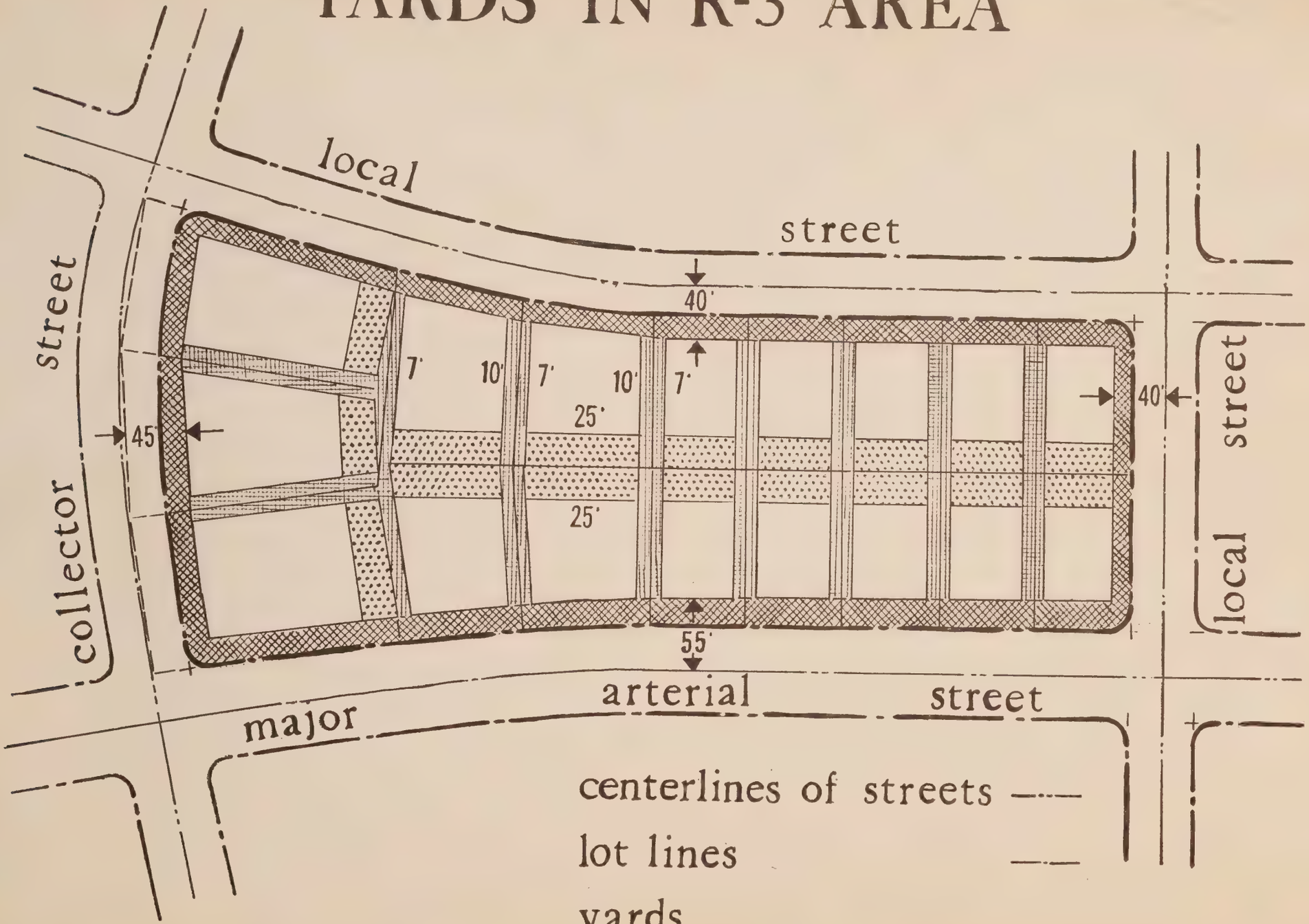
S/S William E. Hudson
Chairman, Athens-Clarke County Planning Commission
May 27, 1964

Approved this June 15, 1964

s/S Julius F. Bishop
Julius F. Bishop, Mayor

Attest: S/S [illegible] Smith
Clerk of Council

YARDS IN R-3 AREA



ARTICLE VII. REQUIREMENTS FOR OFFICE-INSTITUTIONAL DISTRICTS

Section 70: O-I Office-Institutional District

70.1: Intent

This district is composed of areas predominantly residential or institutional in character, but which in view of their special character, physical setting or transitional nature are equally suitable for office, and commercial uses having only limited contact with the general public at night and not involving the sale of merchandise at retail, except incidentally, and which may be carried on with no offensive noise, smoke, odors, fumes, or other objectionable conditions, in structures surrounded with ample open space for yards and off-street parking and loading of vehicles.

70.2: Uses Permitted

- All uses permitted in R-5 Districts, except mobile home parks and dormitories.

- Universities, business colleges, music conservatories, dancing schools and other similar activities offering training in specific fields.

- Agencies and offices rendering special services in the professions, banking, finance, insurance, real estate and brokerage; and including service agencies not involving on premise service with and to the general public, but excluding wholesale trade on premises, which maintain a stock of goods for sale to the general public.

- Funeral or mortuary homes

- Apothecary shop operated as a retail use within a clinic or physicians' offices, provided said shop shall sell only drugs, prescription medicine, medical supplies, and pharmaceutical products; and provided further that not more than 25 per cent of the ground floor area of such building shall be used for said apothecary shop.

- Incidental accessory retail uses such as cafeterias, gift or variety shops, florists shops, soda bars, or similar activities conducted primarily for the convenience of employees, patients or patrons on the premises, wholly within the principal building and without exterior display or advertising; and provided that not more than 50 per cent of the floor area of the structure be used for said incidental accessory retail uses.

- Sale of antique or reproduction furniture and furnishing provided there be no exterior display of merchandise.

- Catering establishments conducted as an incidental home occupation except that not more than five (5) full-time employees may be employed on the premises.

70.3: Parking

70.31: Use of lots in the O-I District as parking lots accessory to uses permitted in adjoining district is strictly prohibited, except as permitted in Article V, Section 52.4.

70.32: Where a lot in O-I District shall join a lot in the R-5 District an automobile parking lot and access way to the lot in the R-5 District shall be permitted on said lot in the R-5 District provided that the following conditions shall be complied with:

(a) The lot may be used only for parking and not for any loading, sales, storage, repair work, dismantling, or service.

(b) The parking lot in the R-5 District shall be set back from the edge of the street a minimum distance of twenty (20) feet, or to conform with the existing building lines of adjoining lots, whichever is

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Exc. & Mod.

greater, which area shall be reserved as open space, guarded with wheel bumpers and planted in grass and/or shrubs or trees, or provided with a solid or at least 75 per cent solid screen of wood, brick, metal or other permanent material.

(c) A strip of land five (5) feet wide adjoining any lot zoned for residential use shall be reserved as open space, guarded with wheel bumpers, and planted in grass and/or shrubs or trees, or provided with a solid screen of wood, brick, metal or other permanent material.

(d) No advertising signs and only unilluminated signs no larger than two (2) square feet, and only one for each entrance and exit, pertaining to the parking lot shall be erected and maintained.

(e) All entrances and exits to the lot shall be barricaded or chained when the lot is not in use at night, if the Building Inspector shall determine that such use is a nuisance.

70.4: Walks and Drives

70.41: No sidewalk, path or pedestrian accessway laid out in the O-I District shall be of greater width than ten (10) feet.

70.42: No driveway or auto accessway laid out in the O-I District shall be of greater width than twenty (20) feet and no property shall be provided with more than two (2) such drives.

70.5: Signs, Exterior Illumination and Window Display

70.51: Neon signs shall be prohibited in the O-I District.

70.52: Accessory and business signs shall be permitted provided under the following conditions:

(a) Unilluminated signs except by indirect means shall be permitted only.

(b) Professional and identification signs shall be no larger than two (2) square feet, and other signs no larger than six (6) square feet.

(c) Not more than one (1) sign shall be permitted in conjunction with each building.

70.53: Exterior floodlights shall be of no greater capacity than three hundred (300) watts, and shall be directed away from streets and adjacent property.

70.54: Unless determined by the Building Inspector to be objectionable, exterior floodlights used in conjunction with other than private residences, activities on the campus of the University of Georgia, fraternities or sororities, shall be extinguished no later than 9 p.m.

70.6 Area, Yard and Height Requirements

70.61: Minimum required lot area----10,000 sq. ft.

70.62: Minimum required lot width---75 feet

70.63: Minimum required front yard (in feet) from the centerline by street type:

Arterial	Collector	Local
60	45	40

provided that no building shall be erected, constructed or moved so as to provide a front yard of less depth than that observed by other principal structures on the same side of the

street and fronting there within the same block or within two hundred feet on either side of said building, whichever be less, and provided that no building is closer than twenty (20) feet from the right-of-way line.

70.64: Minimum required side yards:

- Fifteen (15) feet each for a structure of no more than two (2) stories. On every lot to be occupied by a structure of more than two (2) stories, the minimum required side yards shall be determined by an addition of three (3) feet to each side yard for each full story in excess of two (2) stories.

- The primary purpose of the side yard requirement is to insure adequate light, air and privacy for residential structures. Therefore, when an existing structure on an adjacent lot is located closer than ten feet to its side property line:

  -- The minimum side yard requirement for a structure of no more than two (2) stories shall be so increased that in no case shall principal structures be closer than twenty-five (25) feet.

  -- The minimum side yard requirements for a structure of more than two (2) stories shall be so increased that in no case shall principal structures be closer than thirty (30) feet.

- On corner lots, the side yard requirements shall be the same as for front yards.

70.65: Minimum required rear yard --- 25 feet

70.66: Maximum building height ------ none

70.67: Maximum Lot Coverage --------- 40 per cent

70.7: Conditional Uses:

The following uses are permitted subject to a favorable finding at the Board of Zoning Appeals, as set forth in ARTICLE XII, Section 125, and subject to any conditions imposed by such Board:

- motels and motel apartments.